UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/1994/104/Add.11
17 June 1996

Original: ENGLISH

Substantive session of 1996

IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Third periodic reports submitted by States parties under articles 16 and 17 of the Covenant

Addendum

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND* **

[21 February 1996]

---

* The second periodic reports concerning rights covered by articles 10 to 12 (E/1986/4/Add.27 and E/1986/4/Add.28) and by articles 13 to 15 (E/1990/7/Add.16) as well as additional information (E/1989/5/Add.9) submitted by the Government of the United Kingdom of Great Britain and Northern Ireland were considered by the Committee on Economic, Social and Cultural Rights at its eleventh session (E/C.12/1994/SR.33, 34, 36 and 37).

The appendices referred to in the present report are available for consultation in the secretariat.

** The information submitted by the United Kingdom of Great Britain and Northern Ireland in accordance with the guidelines concerning the initial part of reports of States parties is contained in the core document (HRI/CORE/1/Add.5/Rev.1).

GE.96-17558 (E)

CONTENTS

	Paragraphs	Page
Introduction	1 - 4	3
INFORMATION IN RESPECT OF ARTICLES 1 TO 15	5 - 322	4
Article 1	5 - 7	4
Article 2	8 - 10	5
Article 3	11	5
Article 4	12	5
Article 5	13	5
Article 6	14 - 29	6
Article 7	30 - 36	10
Article 8	37 - 40	12
Article 9	41 - 101	12
Article 10	102 - 123	24
Article 11	124 - 199	29
Article 12	200 - 219	49
Article 13	220 - 281	52
Article 14	282	65
Article 15	283 - 322	65

Introduction

1. This report is the first to include material in respect of articles 1 to 5 of the Covenant and the third in respect of articles 6 to 15. As regards the latter articles, this report is supplementary to the earlier reports (references to which are set out in the relevant article heading below), updating those reports where necessary and including information on current developments or matters of concern.

2. The United Kingdom is a party to other human rights covenants and conventions which deal with some matters also covered by the International Covenant on Economic, Social and Cultural Rights and which require the States parties to report on their implementation. These include the instruments set out below (together with a reference to the latest United Kingdom report on the implementation of the relevant covenant or convention):

International Covenant on Civil and Political Rights: fourth periodic report dated 14 October 1994 ("1994 CCPR Report") (CCPR/C/95/Add.3);

Convention on the Rights of the Child: initial report ("1994 Child Report") submitted in March 1994 (CRC/C/11/Add.1);

International Convention on the Elimination of All Forms of Racial Discrimination: thirteenth periodic report ("1995 CERD Report") submitted in April 1995 (CERD/C/263/Add.7);

Convention on the Elimination of All Forms of Discrimination against Women: third report ("1995 CEDAW Report") submitted in July 1995 (no document symbol as of this writing);

ILO Labour Inspection Convention 1947 (No. 81): report for the period 1 July 1993 to 30 June 1995 ("ILO Inspection Report 1995") submitted in August 1995;

ILO Freedom of Association and Protection of the Right to Organize Convention 1948 (No. 87): report for the period 1 July 1991 to 30 June 1992 ("1992 ILO Freedom of Association Report") submitted to ILO in October 1992 and for the period 1 July 1992 to 30 June 1994 ("1994 ILO Freedom of Association Report") submitted to ILO in December 1994;

ILO Right to Organize and Collective Bargaining Convention 1949 (No. 98): report for the period 1 July 1993 to 31 May 1995 ("1995 ILO Organization Report") submitted in September 1995;

ILO Equal Remuneration Convention 1951 (No. 100): report for the period 1 July 1991 to 30 June 1993 ("1993 ILO Remuneration Report") submitted to ILO in December 1993;

ILO Social Security (Minimum Standards) Convention 1952 (No. 102): report for the period 1 July 1944 to 31 May 1995 ("1995 Minimum Standards Report") submitted to ILO in November 1995 together with the response to the Committee of Experts' 1995 observation and 1995 direct request enclosed with it;

ILO Employment Policy Convention 1964 (No. 122): report for the period 1 July 1992 to 30 June 1994 ("1994 ILO Employment Report") submitted to ILO in January 1955;

ILO Labour Relations (Public Service) Convention 1978 (No. 151): report for the period 1 July 1991 to 30 June 1993 ("1993 ILO Labour Relations Report") submitted in January 1994.

The United Kingdom is not a party to the ILO Discrimination (Employment and Occupation) Convention 1958 (No. 111) but has submitted reports on it. A report for the period ending 30 June 1995 was submitted in August 1995.

3. In accordance with article 17.3 of the Covenant and the Committee's guidelines, where relevant material is the subject of an earlier report under one of these instruments, the material is not repeated in this report, but reference is made at an appropriate point to the earlier report.

4. This report has been compiled by the Foreign and Commonwealth Office on the basis of contributions from the relevant government departments and offices.

INFORMATION IN RESPECT OF ARTICLES 1 TO 15

Article 1

5. This article is identical with article 1 of the International Covenant on Civil and Political Rights. The United Kingdom has submitted four periodic reports to the Committee established under article 28 of that Covenant, and particular reference is made to paragraphs 1 to 14 of the third periodic report (CCPR/C/58/Add.6) and to the "Core Document".

6. The United Kingdom is a member of the European Community the competence of which extends to many of the matters which are provided for in the International Covenant on Economic, Social and Cultural Rights. Its objects include the implementation of common policies or activities to promote "a harmonious and balanced development of economic activities, sustainable and non-inflationary growth respecting the environment, a high degree of convergence of economic performance, a high level of employment and of social protection, the raising of the standard of living and quality of life, and economic and social cohesion and solidarity among Member States". Under the treaties establishing the European Community, those treaties and legislation made under them by Community institutions prevail over domestic United Kingdom law. Some Community legislation is directly applicable and effective in United Kingdom law; other legislation ("directives") requires usually to be implemented by domestic legislation. While the United Kingdom has an input into the negotiation, and a vote on the adoption of legislation by the Council of the European Community, in most cases such adoption is by majority vote and can take place without United Kingdom concurrence.

7. This report is confined to the United Kingdom (i.e. England, Wales, Scotland and Northern Ireland). Separate reports will be made to the Committee in respect of the States of Jersey and Guernsey and the Isle of Man and of the dependent territories beyond the British Isles.

Article 2

8. The United Kingdom does not have a written constitution or a general Bill of Rights. Rights corresponding to those enumerated in human rights conventions are provided for within the United Kingdom by the common law as supplemented by legislation. Treaties and conventions are not incorporated directly into law. Where a change in the law is necessary to enable the United Kingdom to comply with a treaty or convention, legislation must be introduced to give effect to the relevant obligation; but no such specific incorporation is necessary to require or enable the Government to determine how to give effect to such treaty obligations or, if they may be effectuated by administrative action, to take such action.

9. As regards the International Covenant on Economic, Social and Cultural Rights, the greater part of its provisions do not purport to establish norms which lend themselves to translation into legislation or justiciable issues, but are statements of principle and objectives. The United Kingdom has, both before and since the coming into operation of the Covenant, taken measures, including legislation and the adoption of policies and programmes, which advance the same principles and objectives as are set out in the Covenant. Where an instrument such as the Convention imposes a more precise obligation not hitherto reflected in the common law, existing legislation or administrative procedures, it is the practice of the United Kingdom to bring the law or procedure into line with the obligation.

10. The issue of discrimination is addressed in relation to specific articles in the following parts of this report. More general information is contained in the 1995 CERD Report, the 1995 CEDAW Report and, as concerns any rights common to the Covenant and the International Covenant on Civil and Political Rights, paragraphs 18 et seq. of the 1994 CCPR Report. (Since the completion of that report, there have been changes in the composition of the European Economic Area, which now consists of the members of the European Union (EU), Iceland, Liechtenstein and Norway).

Article 3

11. The Committee is referred to the 1995 CEDAW Report and paragraphs 57 to 71, 73 (b) and (c), 74 and 75 of the 1994 CCPR Report. The former report includes a chapter on temporary special measures.

Article 4

12. Any limitations will be noted under the relevant article.

Article 5

13. The Government of the United Kingdom recognizes the need to interpret the Covenant with a view to developing the rights and objectives set out in it. It is not aware that the terms of the Covenant have been relied on as a basis for any restriction upon or derogation from other fundamental human rights.

Article 6*

14. Recent laws of relevance to the subject are: Fair Employment (Northern Ireland) Act 1989; Trade Union Reform and Employment Rights Act 1993; Race Relations (Remedies) Act 1994; Race Relations (Interest on Awards) Regulations 1994; Disability Discrimination Act 1995.

Employment policy

15. As with many other countries, the United Kingdom continues to have a serious and continuing problem with structural unemployment. The Government's policy for improving competitiveness and employment and employment prospects is aimed at:

(a) Increasing the efficient working of the labour market by removing unnecessary barriers and restrictions;

(b) Increasing the ability of unemployed people to get jobs and compete effectively in the labour market;

(c) Encouraging investment in skills by individuals and their employers;

(d) Reducing non-wage labour costs imposed on employers.

These policies have been accompanied by certain reforms in industrial relations and the programmes for improving education and vocational training. The policies are outlined in the document "Policies and Programmes for Employment in the UK" published in 1995 and set out in appendix 1 to this report. Further information on employment and the scale of unemployment is set out in paragraphs 4 to 17 of the 1994 ILO Employment Report and (separately for Great Britain and Northern Ireland) in the relevant tables and annexes to that report. The most recent figures on employment and unemployment (extracts from the Labour Market Survey for December 1995) and comparable figures for March 1990 and March 1985 (extracted from what was then called the Employment Gazette) are annexed as appendices 2A, 2B and 2C respectively).

16. Attention is also drawn to the following parts of the 1994 ILO Employment Report:

(a) The United Kingdom Government's reply to the ILO Committee of Experts 1993 Observations and appendix 1 to that report, which refer to the United Kingdom's aims and policies on employment and the reduction of unemployment and discuss the evaluation evidence for a number of measures designed to assist individuals to training and to return to employment;

---

* Reference is made to previous reports E/1978/8/Add.9 and 13 and E/1984/7/Add.20.

(b) Annex C, which details the Employment Service's revised objectives and main measures. An updated list of the Employment Services measures is annexed to the present report as appendix 3;

(c) Annex D which describes the Government's economic development strategy in Northern Ireland.

Changes in legislation affecting the right to work

17. The Trade Union Reform and Employment Rights Act 1993 includes a number of provisions affecting the rights of employees. Among other provisions, the Act extends the rights of employees to written particulars of employment, and provides protection for employees against being victimized for taking certain action on health and safety grounds and against being dismissed or selected for redundancy because they assert a statutory employment right.

Training services and schemes

18. The 1994 ILO Employment Report includes a description of various educational, training and back-to-work policies and schemes: see paragraphs 18 to 36, the Evaluation Report at appendix 1 to that report, and annexes B, C, E and F to that report.

Equal opportunities and discrimination

19. Paragraphs 33, 37 to 40, 43 to 56 and 59 to 62 of the 1994 CCPR Report deal with discrimination as regards employment. Particular attention is drawn to paragraphs 44 to 56 which contain a description of the working of the Fair Employment (Northern Ireland) Act 1976 as amended by the Fair Employment (Northern Ireland) Act 1989. The 1994 ILO Employment Report also contains information on equal opportunities between women and men (paras. 37 to 43) and fair employment and discrimination in Northern Ireland (annexes G and H).

20. The United Kingdom's 1995 CEDAW Report reviews the operation of the Sex Discrimination and Equal Pay Acts (pp. 11-14), part-time work and women in the armed forces (p. 15), temporary special measures (pp. 26-27) and employment (pp. 61-68 and 74 and 75). The United Kingdom Government fully supports the Equal Opportunities Commission's Code of Practice and has made many changes in the law and practice relating to the employment of women. These include removing restrictions on women's hours of work, extending the Sex Discrimination and Equal Pay Acts to offshore employment, equalizing retirement ages, and freeing single-sex training from unnecessary regulation. The Government encourages employers to adopt flexible working arrangements to enable employees to balance work and domestic commitments and Job Club times are flexible to fit in with domestic arrangements. Women form 46 per cent of the workforce and 12 million work or are seeking work; 47 per cent of women work part time and many prefer to do so in order to combine work and other commitments.

21. Paragraphs 68 to 77 of the 1995 CERD Report make special reference to employment. The Race Relations (Remedies) Act 1994 amended the Race Relations Act 1976 to remove the ceiling of £11,000 in compensation which could be awarded by industrial tribunals in cases of racial discrimination, and the

Race Relations (Interest on Awards) Regulations 1994, which came into force on 1 August 1994, allow Industrial Tribunals to award interest on compensation in race discrimination cases.

22. The United Kingdom Government has made particular efforts to raise awareness of the importance of making full use of talents of men and women and of avoiding discrimination. A specific objective is to promote equality in education, training and work, particularly with regard to the avoidance of discrimination with regard to sex, race, disability and age. In addition to the Ten Point Plan, referred to in the report to the Human Rights Committee, the Government has produced and circulated a number of publications aimed at employers, a selection of which is at appendix 4 to this report.

Persons with disabilities

23. Annex F to the 1994 ILO Employment Report sets out the measures to meet the needs of people with disabilities and relevant statistics for the period covered by that report. The 1995 CEDAW Report contains a chapter (with reference to article 3 of that Convention, pp. 24 and 25) on persons with disabilities.

24. The Disability Discrimination Act 1995 (attached as appendix 5 to this report) introduces new rights for disabled people over a wide area. The main employment provisions of the Act (sections 4 to 18) are:

(a) A new right to prevent unjustifiable discrimination against disabled people in the labour market which would make it unlawful for an employer to treat a disabled person less favourably than other people, unless there are justifiable reasons;

(b) Employers are required to make a reasonable adjustment to working conditions or the workplace where that would help to overcome the practical effects of an individual's disability. To ensure that unreasonable burdens are not placed on business, firms with fewer than 20 employees will be exempt and there is power to make regulations to provide the detail of what is a reasonable adjustment. Other exemptions cover jobs where there is a requirement for fitness or stamina such as the police, prison officers, fire-fighters and the armed services;

(c) It will be unlawful for trade organizations to discriminate against disabled applicants and members.

25. There will be a right of complaint to Industrial Tribunals where the remedies will be the same as with other discriminatory legislation.

26. Consultations are currently under way with interested organizations to determine what, if any, changes are needed to current arrangements regarding the disabled. The consultation includes the issue of how future local advisory arrangements could link with developments in employer networking and seeks views on their relationship with Training and Enterprises Councils. In developing the Regulations, Guidance and a Code of Practice under the new Act, consultations will be carried out with organizations representing employers and disabled people, the National Advisory Committee for the Employment of

People with Disabilities and more widely with others with an interest in this area. The Code of Practice will provide practical guidance on complying with the employment provisions of the Act. It will not impose any legal obligations itself, but tribunals and courts will be able to refer to it, when appropriate, in considering complaints. A consultation package comprising a draft Employment Code of Practice, draft Guidance and proposals for regulations on definition and employment issues was launched in December 1995; the consultation period will end in March 1996.

27. All employment and training programmes and services for unemployed people are open to people with disabilities, often with the entry criteria relaxed and with priority places granted. Most disabled people are helped through mainstream services and programmes. The main programmes are Training for Work; Job Interview Guarantee; Job Clubs; Learning for Work and Community Action. If a disabled person needs help over and above that which can be provided through mainstream services, specialist help is available through the Employment Service's national network of Placing, Assessment and Counselling Teams (PACTS). PACTS advise on job search and training, arrange employment assessment and rehabilitation where this would be appropriate and provide a gateway to the Access to Work programme and, for severely disabled people, to Supported Employment. PACTs also have a major role in working with employers to promote the recruitment, training and retention of disabled people.

28. The Access to Work programme (introduced in June 1994) provides practical help for disabled people and their employers. It extends and simplifies the range of services previously available, and has more flexibility to suit an individual's needs for a particular job. For example: special aids and equipment can be supplied; help can be given towards the cost of adapting premises and equipment; the programme can meet the cost of readers for people with impaired vision and communication support for people with a hearing impairment. It can also pay for support workers and help with the cost of fares to work.

29. Under the Trade Union Reform and Employment Rights Act 1993, the Careers Service is required to have regard to the requirements of disabled persons. There is no age or time restrictions in respect of people with disabilities (including those with learning difficulties); they remain part of the client group of the Service until they are settled into their careers. Young disabled people share equally with other young people the Careers Service's facilities for providing careers guidance, information, help in decision-making, and referral and placing.

Article 7*

30. A recent law of relevance to this subject is the Management of Health and Safety at Work Regulations 1992.

Fair wages and equal remuneration

31. The Committee is referred to the parts of the 1993 ILO Remuneration Report relating to equal pay and the abolition of Wages Councils. The United Kingdom has abolished Wages Councils, except for those covered by the Agricultural Wages Board. The Government believes that, in general, terms and conditions of employment, including pay, are matters to be determined by employers and employees themselves without outside intervention and free from centrally imposed regulation. In the Government's view, a national minimum wage erodes competition and destroys jobs; the best way of helping to raise living standards is to create the conditions for a prosperous and growing economy. (There are certain exceptions to this principle: for example see the appendix on the School Teachers Pay Review Body in the United Kingdom's 1995 ILO Organization Report.)

32. The United Kingdom is no longer a party to ILO Conventions Nos. 99 and 101.

33. The Equal Pay Act 1970 (which was reported on in previous reports on art. 7) was designed to combat unfair discrimination in pay and other conditions of employment and was significantly strengthened in 1984 to require equal pay for work of equal value. There have been a number of significant cases in which women have invoked the equal value provisions to obtain equality of treatment. Page 67 of the 1995 CEDAW Report draws attention to some of the problems still remaining as regards the pay gap between men and women, but notes that the Employment Department's New Earnings Survey for 1994 shows that the pay gap continues to diminish and that women's pay was 79.5 per cent of men's, the narrowest gap ever. The pay gap has reduced in six of the last seven years.

Safe and healthy working conditions

34. The 1995 ILO Inspection Report contains recent information on the Factories, Agricultural and Quarries Inspectorate.

35. The United Kingdom is not a party to the ILO Occupational Safety and Health Convention 1981 (No. 155), but, instead implements the EC's Council Directive of 12 June 1989 on measures to encourage improvements in the safety and health of workers which has effect in the same field. Copies of the Directive and the implementing legislation, the Management of Health and Safety at Work Regulations 1992, are attached as appendices 6 and 7 to this report.

---

* Reference is made to previous reports E/1978/8/Add.9 and 13 and E/1984/7/Add.20.

36. Accident statistics. The rate of fatal injuries to employees is now less than one third of that in the early 1960s, and less than one half of that in the early 1970s. The number of fatal injuries (and also the overall fatal injury rate) dropped to the lowest levels ever recorded in 1993/94. This is the third successive year in which the fatal injury incidence rate has fallen. The shifting employment pattern away from the higher risk industries into the generally lower risk service sector is a significant contributory factor to the fall in the fatal injury rate since the mid-1980s. However, it does not take account of all the decrease. Statistics for fatal and major accidents for the years 1986 to 1995 are as follows:

Fatal accidents

Year	Employees	Self-employed	Total
1986/87	355	52	407
1987/88	361	84	445
1988/89	529 a/	80	609 a/
1989/90	370	105	475
1990/91	346	87	433
1991/92	297	71	368
1992/93	276	63	339
1993/94	245	51	296
1994/95 p	190	73	263

Major accidents

Year	Employees	Self-employed	Total
1986/87	20 695	690	21 385
1987/88	20 057	867	20 924
1988/89	19 944	1 152	21 096
1989/90	20 396	1 310	21 706
1990/91	19 896	1 326	21 222
1991/92	17 597	1 101	18 698
1992/93	16 938	1 115	18 053
1993/94	16 705	1 274	17 979
1994/95 p	16 503	1 291	17 794

Notes: Major accident figures for previous years not comparable because reporting regulations changed.

No proven relationship between numbers of inspectors and accident levels.

a/ Includes 167 fatal accidents arising from Piper Alpha disaster.

p = provisional.

Article 8*

37. Recent laws of relevance to the subject are: Trade Union and Labour Relations (Consolidation) Act 1992; Trade Union Reform and Employment Rights Act 1993; Industrial Relations (Northern Ireland) Order 1993.

38. The Trade Union and Labour Relations (Consolidation) Act 1992 consolidated the enactments relating to collective labour relations, namely trade unions, employers' associations, industrial relations and industrial action. As its title shows, this is a consolidating Act and, therefore, makes no substantive changes to the law. Paragraphs 388 to 395 of the 1994 CCPR Report describe the effect of the Trade Union Reform and Employment Rights Act 1993 as respects membership of trade unions and discrimination on the grounds of trade union membership. They also describe the purposes of the Criminal Justice and Public Order Act 1994 as it applies to industrial relations in the Prison Service. The former Act is also referred to in annex 2 to the 1994 ILO Freedom of Association Report and in paragraphs 13 to 20 of the 1995 ILO Organization Report. Annex 1 to the 1994 ILO Freedom of Association Report contains the United Kingdom Government's reply to observations of the ILO Committee of Experts Observations on the Government Communications Headquarters.

39. The 1995 ILO Organization Report contains the United Kingdom's reply to the ILO Committee of Experts observations on denial of employment on grounds of trade union membership or activity and dismissals in connection with trade union activity. A list of examples of case-law relevant to dismissals whilst engaging in industrial action is set out in appendix A to the 1994 ILO Freedom of Association Report.

40. The 1993 ILO Labour Relations Report contains information regarding labour relations in the public service.

Article 9*

41. Recent laws of relevance to the subject are: Social Security Act 1989; Social Security Contributions and Benefits Act 1992; Social Security Administration Act 1992; Incapacity for Work Act 1994; Statutory Sick Pay Act 1994; Pensions Act 1995; Jobseeker's Act 1995.

42. All branches of social security listed in the Committee's Guidelines exist in the United Kingdom.

Medical care (see also Part II of the 1995 Minimum Standards Report)

43. The United Kingdom's National Health Service (NHS) provides a comprehensive health service to improve the physical and mental health of the population, through the prevention, diagnosis and treatment of illness. The

---

* Reference is made to previous reports E/1978/8/Add.9 and 13 and E/1984/7/Add.20.

NHS provides health services, free at the point of delivery, to all persons legally resident in the United Kingdom. It provides three types of care: primary care, secondary care and tertiary care.

44. Primary care is provided by general practitioners (family doctors). Every citizen has the right to be registered with a general practitioner who is their first point of contact with the health service. General practitioners also act as "gatekeepers" to secondary care hospital services and are increasingly working as members of primary health-care teams which also include community nurses and health visitors. Dental surgeons, opticians and pharmacists also operate within the primary care sector and are reimbursed in part by the NHS and in part by direct payments from patients who, for example, pay for eye tests and make a small contribution towards the cost of prescriptions and dental treatment. Patients in receipt of certain social security benefits and income support (see below), children, pensioners, pregnant women and students under the age of 19 are, however, generally exempt from such charges. There is also provision for patients who need frequent medication to purchase "season tickets" which greatly reduces their charges for medicines.

45. Secondary care in the NHS is provided by a network of over 400 hospitals which offer a wide range of acute, maternity and geriatric services. A minority of patients who require more specialized care are referred to centres of tertiary care, many of which are university-linked teaching hospitals. Under a carefully managed care in the community programme elderly and mentally ill people are increasingly cared for at home and in community-based accommodation by the primary health-care services.

46. The NHS is financed mainly by the taxpayer. In 1994/95 about 95 per cent of the total cost of the NHS in England was met from three sources: 82 per cent from general taxation, about 12 per cent from national insurance contributions and 4 per cent from capital refunds. Only a very small proportion of expenditure - some 2 per cent - was raised from direct patient charges (similar figures apply elsewhere in the United Kingdom). Expenditure on the NHS in the United Kingdom in the year 1993/94 amounted to £39 billion and accounts for more than 14 per cent of total public expenditure in the United Kingdom at a cost per capita of around £697 and some 5.8 per cent of GDP.

47. It is, of course, open to United Kingdom residents to insure themselves privately for medical treatment or pay for such treatment to be carried out privately. A decision to avail oneself of private treatment and insurance does not, however, compromise nor necessarily interfere with a person's entitlement to benefits under the NHS.

48. For statistics relating to the provision of medical care, see paragraphs 4 to 32 of the 1995 Minimum Standards Report.

49. The United Kingdom embarked on a series of reforms to the NHS in 1988 prompted by a concern that the real growth in NHS spending was not sufficient to match growing demand from the increasing number of elderly people in the population and the cost of new medical techniques, including new drugs; these dual pressures of demography and medical advance are common to all health-care

systems. The comprehensive review which was carried out concluded that the matter of supply of services should not be dealt with simply by injecting additional resources but also by the introduction of an internal NHS market to raise productivity and quality standards. There was, for example, accumulating evidence of wide variations in performance between individual hospitals and doctors based on similar patient profiles.

50. The key features of the reforms which have now been introduced can be described as follows:

(a) Local health authorities have been given direct responsibility for assessing their local population's health needs and purchasing the necessary services free from any self-interest and enabling them to find the "best buy";

(b) New funding arrangements and a contractual relationship have been established between local health authorities (the purchasers) and hospitals (the providers) with contracts specifying the level, quality and cost of patient services required;

(c) On a voluntary basis, family doctors have been offered the freedom to purchase from their Health Service budgets certain types of health care on behalf of their patients;

(d) Local hospitals, ambulance services and some community services have been offered the opportunity to apply for self-governing status as NHS Trusts making them operationally independent of local health authorities with control over their own capital assets and the freedom to negotiate terms and conditions for their own staff.

51. These reforms relate to the management structure of the NHS and are largely imperceptible to the patient although the benefits flowing from the changes have greatly improved the efficiency and the quality of services and have very much benefited patients. There are hospital waiting lists in the United Kingdom but the time people wait for non-emergency treatment has reduced dramatically in recent years - 70 per cent of patients are now seen by a consultant within 3 months and 98 per cent within 12 months.

52. Other benefits have resulted from the introduction of a Patients Charter which enshrines a number of rights for patients: to receive health care on the basis of clinical need, regardless of the ability to pay; to be registered with a general practitioner; to receive emergency medical care at any time; to be referred to a consultant, acceptable to the patient, when a family doctor thinks it necessary; to be given a clear explanation of any treatment proposed; to have access to his health records; to choose whether or not to take part in medical research. Under the Patients Charter patients are additionally entitled to be given detailed information on local health services including quality standards and maximum waiting times, to be given guaranteed admission for non-emergency treatment within 18 months and to have any complaint about NHS services investigated.

53. The Charter also established a list of national standards, namely: respect for privacy, dignity and religious and cultural beliefs; arrangements to ensure everyone, including people with special needs, can use the service;

information to be given to relatives and friends; waiting time for initial assessment in Accident and Emergency Departments; cancellation of operations; waiting time in outpatient clinics; a named qualified nurse, midwife or health visitor responsible for each patient; discharge of patients from hospital.

54. The introduction of the Patients Charter has encouraged an emphasis on quality and responsiveness to patients' needs and has been supplemented by numerous local initiatives to improve health services to patients. Copies of the Patients Charter are annexed as appendices 8, 9 and 10.

55. A major innovation in the United Kingdom was the introduction in 1992 of a national health strategy. A White Paper, "Health of the Nation" (a copy of which, together with a second progress report, is attached as appendices 11A and 11B), established a framework for a structured and rational long-term health strategy for England; Wales, Scotland and Northern Ireland each have separate but comparable strategies related to their own particular needs and circumstances. "Health of the Nation" is founded on selected key areas where there is both the greatest need and the greatest scope for making cost-effective improvements in the overall health of the country. It sets out overall objectives and specific targets to be met by specific dates. The strategy is initially based around five priority areas: coronary heart disease and stroke, cancers, mental illness, HIV/AIDS and accidents. The strategy involves action on the part of individuals, groups, bodies and organizations through to Government. A Ministerial Cabinet Committee has been set up to coordinate government action and oversee implementation and development of the strategy.

56. The reforms of the NHS mentioned above mean that health authorities are now better able to respond strategically to the health needs of the populations they serve. The improved systems of accountability and the introduction of the concept of targets allow each part of the NHS to be actively managed, monitored and improved. There will be a strengthened link between planned interventions to improve health and measurable changes in health. This will influence health service planning and will provide a statistical monitor on how preventive actions are working. This should produce beneficial health outcomes not only for the population but also at an individual level.

Social security

57. The United Kingdom is party to the ILO Social Security (Minimum Standards) Convention, 1952 (No. 102) and has accepted parts II (medical care), III (sickness benefit), IV (employment benefit), V (old-age benefit), VII (family benefit) and X (survivors' benefit). Information relating to medical care is set out in paragraphs 43 to 56 above; information relating to maternity benefits in paragraphs 108 to 118 below; and information relating to child and family benefit in paragraphs 106, 107 and 122 below. In respect of other benefits, the following information supplements that contained in the 1995 Minimum Standards Report (together with the United Kingdom's reply to the Committee of Experts' 1995 Observation and 1995 direct request) and the earlier reports to this Committee.

58. Financial resources. The cost of contributory benefits and their administration is met from the National Insurance Fund. The Fund is primarily financed by employers' and employees' National Insurance contributions and the Fund's investment income. It is based on a pay-as-you-go system, with today's contributions paying for today's benefits. Contributory benefits include sickness benefits (other than Statutory Sick Pay and Statutory Maternity Pay), survivors' benefits, unemployment benefits, and certain categories of old-age benefits.

59. Statutory Sick Pay is funded mainly by employers with a small level of funding coming from general taxation. Until April 1994, employers funded only 20 per cent with special protective arrangements for small businesses (two thirds of all employers). The Statutory Sick Pay Act 1994 (introduced at the same time as a package of National Insurance measures which reduced the total costs to industry) transferred all Statutory Sick Pay costs to employers apart from small businesses where the special arrangements were retained and improved. The relief scheme for small employers was replaced in April 1995 by the Percentage Threshold Scheme to assist any business with Statutory Sick Pay costs during unusually high levels of absence due to sickness (Statutory Sick Pay Percentage Threshold Order 1995, SI 1995/512).

60. Statutory Maternity Pay is funded from general taxation and employers. Up to September 1994, it was entirely funded through general taxation, but since that date employers (other than small businesses where the total cost is paid by the State) provide 8 per cent of the cost.

61. Non-contributory benefits are financed by money voted by Parliament from general taxation which is paid into the Consolidated Fund. These include family benefits, some categories of old-age benefits and, since 1990, industrial injury benefits.

62. The financial resources allocated in respect of the NHS are set out in paragraph 46 above. The resources allocated to sickness benefits, unemployment benefits, old-age benefits and survivor's benefits are set out in paragraph 63 of the 1995 Minimum Standards Report.

63. Overall, social security expenditure in 1992/93 in Great Britain (exclusive of the NHS) amounted to just over £74 billion. This represented 30.8 per cent of general government expenditure and 12.3 per cent of the country's GDP. In 1949/50 it represented 4.7 per cent of GDP. Since 1978/79, expenditure has grown at an average of 3.7 per cent per annum in real terms. This is equivalent to an underlying rate (excluding benefits to the unemployed) of around 3 per cent. This underlying increase is mostly accounted for by increased expenditure on pensioners, the sick and disabled, and on families (in particular lone parents).

64. In Northern Ireland, social security expenditure in 1992/93 (exclusive of the NHS) amounted to £2,361.7 million. This represented 33.5 per cent of general government expenditure in Northern Ireland. Since 1978/79 expenditure has grown at an average of 4 per cent per annum in real terms. This is

equivalent to a rate (excluding benefits to the unemployed) of around 4.1 per cent. This underlying increase is also mostly accounted for by increased expenditure on pensioners, the sick and disabled, and on families (in particular lone parents).

65. Sickness benefits. The number of persons protected by Sickness Benefit and the rates of Sickness Benefit (replaced in April 1995 by Short-term Incapacity Benefit) and Statutory Sick Pay are set out in paragraphs 33 to 37 of the 1995 Minimum Standards Report. Statutory Sick Pay is now payable at a single rate (the lower rate having been abolished), and the Statutory Sick Pay Act 1994 has equalized entitlement for the benefit for men and women aged under 65.

66. The following groups are currently excluded from entitlement to Statutory Sick Pay:

(a) Those whose average weekly earnings are below the threshold for the payment of National Insurance contributions;

(b) Those whose contract is for three months or less;

(c) Those who are detained in legal custody;

(d) Those who on the first day of their incapacity are outside the European Economic Area;

(e) Women who are within the 18-week maternity disqualification period;

(f) Those who are over 65;

(g) Those who have recently claimed Incapacity Benefit, Severe Disablement Allowance or Maternity Allowance;

(h) Those who have done no work for an employer when they fall sick;

(i) Those with a direct interest in a stoppage of work at the employer's place of work.

67. Following a report by a deregulation working group of employers and officials, consultations during the summer of 1995 resulted in proposals for simplifications to the administration of the Statutory Sick Pay scheme. Changes which it is intended to introduce from April 1996 include a significant reduction in the amount of record keeping, more flexibility in the time-limits for providing information to employees, and removing the exclusion of those who are sent to work or who go on holidays outside the European Economic Area. From April 1997, it is intended that employers who pay wages or occupational sick pay of at least the Statutory Sick Pay rate during periods of absence due to sickness will be exempt from operating the Statutory Sick Pay rules.

68. Invalidity and incapacity benefits (see also paras. 33-37 of the 1995 Minimum Standards Report and paras. 3-6 of the United Kingdom's reply to the Committee of Experts). Invalidity Benefit was an income replacement benefit paid to people who were still incapable of work for more than 28 weeks, after which Sickness Benefit or Statutory Sick Pay ends. It was made up of several parts: Invalidity Pension, Invalidity Allowance and Additional Pension, and further benefit could be paid for dependants. Prior to its replacement in April 1995, the benefit rates were:

Basic Invalidity Pension:

single	£57.60
couple	£92.10

Invalidity Allowance:

higher rate	£12.15
middle rate	£ 7.60
lower rate	£ 3.80

Additional Pension:

Average in payment 1991/92 £13.40

Additions may be payable for adult and child dependants.

Numbers receiving benefit at any one time 1993/94	1,685,000 (Great Britain) 64,543 (Northern Ireland)
Expenditure 1993/94	£7,096 m (Great Britain) £279.7 m (Northern Ireland)

69. Long-term Incapacity Benefit replaced Invalidity Benefit on 13 April 1995. It is a taxable income-replacement benefit paid after a person has satisfied the contribution conditions for, and been in receipt of, Statutory Sick Pay or short-term lower rate Incapacity Benefit for the first 28 weeks of sickness, and then short-term higher rate Incapacity Benefit up to the fifty-second week of incapacity (for these rates, see para. 36 of the 1995 Minimum Standards Report).

70. Entitlement to Incapacity Benefit is based on contribution conditions and the satisfaction of a medical test known as the All Work Test. Several severe disabilities and illnesses set out in legislation exempt a claimant from the medical test procedures; they are automatically treated as satisfying the test. Other claimants have to be referred to the Benefits Agency Medical Services which either itself carries out the test or advises on incapacity for work on the information provided by the claimant and his doctor. Previous recipients of Invalidity Benefit were automatically transferred on 13 April 1995 to a transitionally protected long-term protected rate of Incapacity Benefit at the same rate as before.

71. The current rates of Incapacity Benefit (per week) are:

Basic entitlement:	£58.85
Incapacity age addition	£12.40 (higher rate where incapacity began before age 35)
Incapacity age addition	£6.20 (lower rate where incapacity began between age 35 and 44)
Dependency additions:	
Adult	£35.25
Child	£11.05

72. Long-term Incapacity Benefit is not payable once a person reaches State pension age (60 for women and 65 for men). Those claimants who were already over State pension age on 13 April 1955 and in receipt of an Invalidity Benefit can remain on long-term Incapacity Benefit up to deemed pension age.

73. Employment injury benefits. The Industrial Injuries scheme provides a number of preferential benefits for employed earners (but not the self-employed) who are disabled by accidents and diseases arising out of and in the course of their employment. There are no contributions conditions. Where incapacity is the result of an industrial accident or disease, the normal contribution conditions for Sickness and Invalidity Benefit may be waived; this also applies to widow's benefit where the industrial accident or disease results in the death of the spouse. Benefits are payable in addition to other incapacity benefits.

74. Employment Injury Benefits are payable only after 90 days from the date of the industrial accident or date of onset of the prescribed disease. There is no limit on the duration of benefits. An assessment of disablement and the likely duration is made in each case, and benefit may be awarded for the same or a different period.

75. Disablement Benefit is payable in respect of disablement of 14 per cent or more (except in the case of certain respiratory diseases). The rate of benefit is linked to the percentage disablement, increasing with each 10 per cent disablement. The percentage disablement is rounded up or down to the nearest 10 per cent, for example, 33 per cent disablement attracts the 30 per cent rate; 46 per cent disablement attracts the 50 per cent rate. The previous provision of a lump sum payment for disablement under 20 per cent has been abolished. Benefit rates in 1994 are as follows:

Degree of disablement	Benefit rate (£ weekly)
100%	93.20
90%	83.88
80%	74.56
70%	65.24
60%	55.92
50%	46.60
40%	37.28
30%	27.96
20%	18.64
14%	18.64
Certain respiratory diseases:	
1 to 10%	9.32
10 to 20%	18.64

76. Reduced Earnings Allowance compensated for loss of earnings, subject to a maximum of £37.28. It has been abolished in respect of accidents and diseases arising after 30 September 1990. Existing beneficiaries at that time are not affected.

77. Retirement Allowance was introduced in April 1989 to replace Reduced Earnings Allowance when a person at or over pension age gives up regular employment. It is paid at 25 per cent of the rate of Reduced Earnings Allowance, to a maximum of £9.32 weekly.

78. Constant Attendance Allowance is payable to people who are assessed as 100 per cent disabled, and who need constant care and attention. There are four rates ranging from £18.70 to £74.80 weekly.

79. Exceptionally Severe Disablement Allowance is available to those receiving either of the two top rates of Constant Attendance Allowance where the need is likely to be permanent. The maximum rate is £37.40 weekly.

80. Industrial Death Benefit was paid for the maintenance of the widows of those killed by industrial accident or disease. It has been abolished in respect of deaths occurring after 10 April 1988. Those widowed after that date can claim ordinary State widows' benefits.

81. Old age benefits (see also paras. 43-50 of the 1995 Minimum Standards Report). The categories of old age benefits are:

(a) Category A pension - contributory: based on a person's own contributions;

(b) Category B pension - contributory: based on a person's spouse's contributions;

(c) Category C pension - non-contributory: payable to persons who had reached State pension age on 5 July 1948;

(d) Category D pension - non-contributory: payable to persons who have reached age 80;

(e) Graduated Retirement Benefit - contributory: based on graduated contributions paid between 1961 and 1975.

82. From 1 October 1989, the rules restricting the payment of a State retirement pension if an individual was in receipt of earnings above particular levels were abolished (Social Security Act 1989), and a person qualified for pension if he or she had reached retirement age and satisfied the contribution conditions.

83. The following groups are excluded from old age benefits:

(a) Men under age 65;

(b) Women under age 60. However, under the Pensions Act 1995, there will be a gradual equalization of pension age for men and women and State pension age for women will move from 60 to 65 over a period of 10 years starting in April 2010;

(c) Men aged 65 or older who do not satisfy the contribution conditions for receipt of Category A pension or, in the case of widowers, do not qualify for Category B pension;

(d) Women aged 60 or older who do not satisfy the contribution conditions for receipt of Category A pension and who do not qualify for Category B pension because in the case of:

(i) Married women - a woman's husband is not receiving Category A pension;

(ii) Widows - a woman's late husband did not satisfy the contribution conditions for Category A pension or, where he died before she reached pension age, she did not qualify for widows' pension;

(e) Persons aged 80 or older who do not satisfy the residence conditions for Category C or D pension.

84. In the United Kingdom, all employed and self-employed workers earning more than a prescribed amount pay contributions to the national social security scheme to earn entitlement to a basic pension. The amount of the basic pension depends on the individual's contribution record, not on the level of earnings.

85. A second tier of provision is available to all employees through the State Earnings Related Pension Scheme (SERPS), which pays an Additional Pension (AP). However, it is possible to contract out of this part of the social security scheme through membership of a suitable occupational pension scheme, or by means of an appropriate personal pension. Employers are not required to set up occupational pension schemes, but if they do so and wish the scheme to be contracted out of SERPS, they must comply with certain requirements. One of the main requirements is that the benefits provided should reflect the amount that would otherwise be payable through SERPS,

although most schemes which are contracted out provide benefits that are more generous than this. Some schemes chose not to meet these requirements, and their members remain contracted in to SERPS. Following a ruling of the European Court of Justice in the Barber case (17 May 1990), all occupational pension schemes, whether or not contracted out of SERPS, must also provide equal occupational pension rights and equal access for men and women in respect of pensionable service from that date.

86. Membership of an occupational pension scheme is always voluntary. About half of all employees are members of an occupational pension scheme, and most of these are contracted out of SERPS: and about a quarter of such employees are contracted out of SERPS by means of an appropriate personal pension. Employees who do not join a contracted-out occupational pension scheme, or own a personal pension designed for the purposes of contracting out, but who earn enough to pay contributions to the national Social Security Scheme will be automatically covered by SERPS.

87. Survivors' benefits (see also paras. 57-62 of the 1995 Minimum Standards Report). Survivors' benefits are paid to widows only - the provisions do not extend to widowers. The benefit provisions were restructured for women widowed on or after 11 April 1988. The reforms:

(a) Introduced a tax-free lump sum Widow's Payment payable immediately on bereavement (replacing weekly Widow's Allowance payable for the first 26 weeks or widowhood);

(b) Provided immediate payment of Widow's Pension or Widowed Mother's Allowance from widowhood;

(c) Raised the age bands for age-related Widow's Pension by 5 years from 40-49 to 45-54, and the age for a full-rate Widow's Pension from 50-55;

(d) Abolished Widowed Mother's Allowance (Personal) paid to widows with non-dependent children up to age 19 living in the household.

88. Unemployment benefits (see also paras. 38-42 of the 1995 Minimum Standards Report). There have been a number of changes in Unemployment Benefit since the last report.

89. In 1984 Annual Unemployment Benefit (UB) increases were linked to the Retail Price Index. The UB dependency increase for children had been reduced as Child Benefit had increased and in 1984 it was abolished. In 1987, the one half and one third rate of UB were abolished for those people who partially satisfied the contribution conditions.

90. In 1988, the contribution conditions for UB were altered so that the claimant must now have a recent work history and, in 1989, claimants were required to actively seek work in addition to the requirement that they should be able and willing to work. A blind person who is participating in a guide dog training course will be deemed to be available for work for a period up to six weeks a year. In 1989, regulations were introduced to prevent people earning less than £12 per week from losing benefit when this amount of work constitutes their normal pattern of work, and the additional qualifying

conditions for seasonal workers were abolished. The re-qualification rule was tightened in 1989 so that people are required to show that they have worked for 16 hours in 13 of the last 26 weeks rather than in any 13 weeks since the benefit was last claimed.

91. People who have not paid Class 1 National Insurance contributions in the relevant tax years cannot receive UB; this affects in particular the self-employed, some people over State pension age and people who do not have a significant or a recent work history. If UB were to be available to these groups they and all other contributors would have to pay additional National Insurance contributions when in work for the extra insurance cover required. The Government doubt that the majority would welcome such an increase. These matters are, however, kept under review. Additionally, in 1989, a weekly earnings rule was introduced. UB is not payable for any day in a week when the person earns an amount equivalent to the level where National Insurance contributions are liable to be paid. This ensures that people who earn considerable sums of money working for a few days in a week are not able to claim. UB is also not paid when any payment, other than specified sums, is received during a period of notice. This acknowledges the more complex financial arrangements that now take place.

92. The maximum period of disqualification due to voluntary unemployment was increased in 1986 from 6 to 13 weeks and in 1988 from 13 to 26 weeks; however, the actual period is for the adjudication officer to decide.

93. In 1986, students' right to UB was restricted to the summer vacation and in 1990 was removed. Students are considered to be in education until their course ends.

94. In 1989, the occupational pension abatement rule was applied to people aged 55 years and older (previously it had been restricted to people aged 60 years and older) and extended to Personal Pensions. This reflects the trend to retire before the age of 60 years.

95. From 1993, people who work voluntarily and are required to undergo training to commence employment are permitted 48 (previously 24) hours' notice before they are required to start the training or employment. This extension provides a longer period to enable arrangements to be made for someone to take over the voluntary work.

96. Jobseeker's allowance (see also paras. 7-13 of the United Kingdom's reply to the Committee of Experts' 1995 Observation). The Jobseeker's Act 1995 provides for the introduction of the Jobseeker's Allowance (JSA) which will replace Unemployment Benefit and Income Support (IS) for the unemployed in October 1996. JSA will be available to people aged between 18 and State pension age. In special circumstances it will also be available to 16 and 17 year olds. Claimants must be out of work or working less than 16 hours a week. They must be available for any work which they can reasonably be expected to do, for at least 40 hours a week and they must actively seek work. A condition of entitlement is the "Jobseeker's Agreement" which will set out the claimant's plans to find work at the start of his claim. Partners of JSA and IS claimants will be able to work up to 24 hours a week without a loss of entitlement to claim.

97. JSA will be based on current IS rates. There will be two routes of entry into JSA: one based on contributions and the other means tested. Those who have paid sufficient Class 1 National Insurance contributions may receive a personal rate of JSA for six months, irrespective of capital or a partner's earnings. Those who do not qualify, or whose needs are not met by contributions-based JSA, may qualify for an income-based JSA for themselves and their dependants if their income is insufficient for their needs. This help will continue to be provided for as long as it is needed if the qualifying conditions continue to be met.

98. Most claimants will be allowed to earn £5 a week before benefit is reduced. For couples in income-based JSA, this will be £10 (rather than £5 per person) - thus benefiting those couples where only one partner works. The amount of occupational pension which can be received before contribution-based JSA is reduced will be £50 per week and this reduction of benefit will apply whatever the age of the jobseeker. JSA claimants will not have access to hardship payments if they fail the labour market tests for JSA availability, actively seeking work and completion of a satisfactory Jobseeker's Agreement. They will also be denied access to hardship payments during the first two weeks of a delay/suspension due to a doubt whether they satisfy those tests and during the first two weeks of a sanction. They will have no access to the Social Fund during the first two weeks of a sanction or disallowance. Members of certain specified "vulnerable groups" will, however, have access to hardship payments and Social Fund payments at all times.

99. Income-based JSA will be similar to IS. It will consist of the personal allowance, premiums and mortgage interest payments appropriate to the claimant's circumstances. Unemployed people in receipt of income-based JSA will continue to have automatic entitlement to other welfare benefits under arrangements similar to those which currently apply to IS. Transitional cash protection (including for occupational pensions) will be available for those who receive Unemployment Benefit and IS at the time of change.

100. A Back to Work bonus is to be introduced. This will enable claimants who work part-time to build up a lump sum equivalent to half their part-time earnings after the earnings disregard. The bonus will be payable (subject to a maximum of £1,000) to the claimant when entitlement ceases as a result of work or earnings.

101. In Great Britain, the Employment Service Jobcentres and the Benefits Agency will administer the Scheme. In Northern Ireland, it will be administered by the Social Security Agency and the Training and Employment Agency.

Article 10*

102. Recent laws of relevance to this subject are: Children Act 1989; Social Security Contributions and Benefits Act 1992; Trade Union Reform and Employment Rights Act 1993; Maternity Allowance and Statutory Maternity Pay

---

* Reference is made to previous reports E/1980/6/Add.16 and Corr.1, E/1980/6/Add.26, E/1986/4/Add.23 and E/1989/5/Add.9.

Regulations 1994 (S.I. 1994/1230); Social Security Maternity Benefits and Statutory Sick Pay (Amendment) Regulations 1994 (S.I. 1994/1367); Statutory Maternity Pay (Compensation of Employers) and Miscellaneous Amendment Regulations 1994 (S.I. 1994/1882).

Protection of the family

103. Paragraphs 401 to 404 of the 1994 CCPR Report contain information on ministerial responsibility for family matters, taxation as between husband and wife and family unity. Changes to the Immigration Rules which came into force on 1 October 1994 made provision for a divorced or separated parent living abroad of a child resident in the United Kingdom to seek entry to the United Kingdom for the purpose of exercising access rights, granted by United Kingdom courts, to the child.

Benefits in cash and kind in aid of the family

104. There is no comprehensive or constant definition of the word "family" in contemporary usage. For the purposes of the section on income-related benefits in the Social Security Contributions and Benefits Act 1992 "family" means:

(a) A married or unmarried couple;

(b) A married or unmarried couple and a member of the same household for whom one of them is or both are responsible and who is a child or a person of a prescribed description;

(c) Except in prescribed circumstances, a person who is not a member of a married or unmarried couple and a member of the same household for whom that person is responsible and who is a child or a person of a prescribed description.

105. For benefit purposes children are treated as dependent until their sixteenth birthday, or until their nineteenth birthday if they continue in full-time education.

106. The United Kingdom system of in-work benefits (including Family Credit, Disability Working Allowance, Housing Benefit and Council Tax Benefit) is designed to encourage families to take up work rather than rely solely on State benefits. Family Credit is targeted on working families with children who are on low incomes and who need assistance to bring up their children. It is a weekly cash benefit for working families with children. It is tax free; it is not a loan. The amount payable depends on how many children there are in the family, their ages, the number of hours worked in certain circumstances, the amount of child-care charges paid, and the family's normal net earnings and other relevant income. Child Benefit (see para. 122 below) - which recognizes that families with children have extra costs compared with other families and provides virtually all families with a worthwhile contribution to those extra costs - and the first £15 of any maintenance are ignored when calculating Family Credit. Certain child-care charges of up to £40 a week are offset against a family's earnings when Family Credit is calculated. The amount of the disregard is to be increased to £60 in

April 1996. Those families working 30 hours or more a week are entitled to an extra credit which is currently worth up to £10 extra every week. This is disregarded when assessing Housing Benefit and Council Tax Benefit. Family Credit is very successful in helping people to be better off in work. (Recent independent research has shown that families are at least £23 a week better off in work and on Family Credit than out of work.) Currently it goes to over 606,000 families at an average rate of about £50 a week (in Northern Ireland, 23,000 families at an average rate of £54 a week).

107. Lone parents get the same amount of Family Credit as couples and, in addition to Child Benefit, One Parent Benefit is paid at a set rate for each family and specifically recognizes the additional costs of people bringing up children on their own. Guardian's Allowance can be paid in addition to Child Benefit (and One Parent Benefit if applicable) to someone who takes an orphan into the family. In exceptional circumstances it can also be paid even if there is a surviving parent. These benefits are paid regardless of income and are free of tax. A person who does not work full-time and whose financial resources are insufficient to meet basic needs may qualify for Income Support, a non-contributory cash benefit which covers basic living expenses and certain housing costs.

Maternity protection

108. Maternity services are provided through the National Health Service (NHS) and through private medical services. Under the NHS, a pregnant woman is entitled to care throughout her pregnancy, the birth and the post-natal period. She may receive this care in a general practitioner or consultant maternity unit in a health centre or a general practitioner's surgery, in her own home, or in a combination of all these. The professional team available to her includes the consultant obstetrician, the general practitioner and the midwife.

109. In August 1993, the Expert Maternity Group published a report "Changing Childbirth" which sets out the Group's view of a "woman-centred service" in which the woman and her baby are at the centre of all planning and provision of maternity care. Following full consultation with all interested bodies, the report was accepted by the Government in January 1994. The NHS have been asked to draw up plans for implementation within five years. The Government also provided £368,000 to fund 14 "Changing Childbirth" development projects in 1994/95 and are providing a further £1 million for projects currently running in 1995/96.

110. Statistics on maternal mortality rates are set out in Indicator 8.1 of the United Kingdom's Monitoring Report for 1994 produced for the World Health Organization (attached as appendix 12 to this report).

111. In line with the EU Pregnant Workers Directive (Council Directive 92/85), the United Kingdom has introduced a two-week ban on working after childbirth. Women who are exposed to health or safety risks harmful to them whilst they are pregnant, have recently given birth or are breast-feeding are entitled to be offered alternative employment or suspended from work with pay for the duration of the risk.

112. The Trade Union Reform and Employment Rights Act 1993 implemented the maternity leave and employment protection requirements of the EU Directive on the Protection of Pregnant Women at Work. The Sex Discrimination Act 1975 was amended with effect from 1 February 1995 so as to apply to the armed forces and to give effect to a decision of the High Court that the policy of discharging servicewomen compulsorily when they become pregnant was discriminatory. (See pages 16 and 15 of the 1995 CEDAW Report which, among other things, set out the new provisions for maternity leave.)

113. Maternity benefits are paid to help working women give up work for a period around the birth to protect and promote the health and well-being of mother and baby. Maternity benefits are paid for a maximum of 18 weeks (once a woman has given up work) starting at the earliest 11 weeks before the baby is due and at latest with the week of the actual birth. There are two main maternity benefits, Statutory Maternity Pay - SMP - (funded from general taxation and reimbursed to the employer, fully to the small employer and at 92 per cent to others) and Maternity Allowance - MA - (paid from the National Insurance Fund which is principally financed by employers' and employees' National Insurance contributions).

114. MA was first introduced in 1948 and SMP in 1987. The benefits under both have been improved for women whose babies were due on or after 16 October 1994, coinciding with the implementation of the leave and employment protection requirements of the EU Pregnant Workers Directive. Both SMP and MA are subject to qualifying conditions connected with employment and about 80 per cent of all women workers are covered by one or other of them. SMP is payable by employers to women who have at least 26 weeks' continuous service at the fifteenth week before the baby is due and who have average weekly earnings at or above the lower earnings limit for the payment of National Insurance contributions. Once the prospective mother gives up work, she is entitled to receive a sum equal to 90 per cent of her average earnings for 6 weeks, followed by a maximum of 12 weeks at a flat rate of £52.50 per week. The flat rate is renewed annually. (Before this change, women had to complete at least two years' continuous service with their employers - five years for part-time workers - in order to qualify for the earnings-related element of SMP.) A woman may, if she wishes, remain at work right up to the birth without losing benefit. Women who have stillbirths from the twenty-fifth week (before 1992, twenty-ninth week) of pregnancy also qualify for SMP.

115. MA is paid to women who do not qualify for SMP, the recently employed and self-employed. Entitlement is based on a recent work and contribution history. The woman must have worked and paid National Insurance contributions for at least 26 weeks in the 66 weeks ending with the week before the week in which the baby is due. Women who work for an employer in the fifteenth week before the week the baby is due are entitled to £52.50 a week and those who have already given up their work by the fifteenth week and the self-employed are entitled to £43.55 per week, in both cases for a maximum of 18 weeks. These rates are reviewed annually. As with SMP, a woman may remain at work up to the birth without losing benefit. Like SMP, MA is payable to those women who have stillbirths from the twenty-fifth week of pregnancy.

116. Women in employment who earn less than the lower earnings limit for the payment of National Insurance contributions fall outside the scope of both schemes. The Government have no plans to alter the entitlement conditions of SMP or MA to enable women who have paid no tax or National Insurance contributions to benefit from schemes which are essentially earnings related. This is an accepted feature of social security schemes in European countries.

117. If a woman is not entitled to MA she may be entitled to Incapacity Benefit instead. Entitlement to this is based on an earlier contributions period. Where a woman fails to qualify for any of these benefits, or where they are not enough for her requirements, she can claim Income Support. This is an income-related benefit with minimum subsistence levels set and reviewed each year.

118. From 23 June 1994, paragraph 5 of Schedule 5 to the Social Security Act 1989 protects the pension rights of women during periods of paid maternity leave and ensures that they are not unfairly treated as compared with those absent from work under normal leave arrangements. The provisions require that pensions which accrue during such periods be based on the women's normal rate of pay rather than the actual rate of pay if the latter is lower.

Protection and assistance on behalf of children and young persons

119. The Children Act 1989, which came into force for England and Wales in October 1991, gives effect to a number of the United Kingdom's obligations under the United Nations Convention on the Rights of the Child. Similar provision is made for Scotland in the Children (Scotland) Act 1995 and for Northern Ireland in the Children (Northern Ireland) Order 1995. A description of the application of the Children Act, primarily as it affects the provisions of the International Covenant on Civil and Political Rights, was contained in the 1994 CCPR Report (see paras. 164-281 and 405-440). The first report of the United Kingdom Government under the Convention on the Rights of the Child was submitted in March 1994. This is a comprehensive report on the implementation of the Convention on the Rights of the Child including, in part V, information on the legal regime of children in the family.

120. The Government introduced legislation in 1991 which led to the establishment of the Child Support Agency from April 1993. The Child Support Agency assesses maintenance liability for children and can deal with the collection of child maintenance payments. Under the previous system inconsistencies in setting maintenance levels could occur, whereas under the 1991 legislation, child maintenance is assessed using a standard formula. Corresponding legislation provided for a separate child maintenance system in Northern Ireland, with its own Child Support Agency. The Great Britain and Northern Ireland systems operate on a parity basis so as to provide a single system of child support for the United Kingdom.

Social security benefits

121. Information relating to Child Benefit is contained in part VII of the 1995 Minimum Standards Report. People from abroad, however, generally do not qualify for Child Benefit until they have lived in Great Britain for six months.

122. Since earlier reports, changes have been made in certain social security benefits relating to children. A higher rate of Child Benefit was introduced for the eldest child in April 1991. It now stands at £10.40 per week for the eldest child and £8.45 for each other child. There is an additional £6.30 per week one-parent benefit. In April 1988, Family Credit replaced Family Income Support. To be eligible families must have at least one child and the claimant (or other partner in the case of a two-parent family) must be working at least 24 hours a week. From April 1992, the qualifying hours were reduced from 24 to 16. This extended eligibility for Family Credit to a whole new range of people. Also in April 1992, a new disregard was introduced of the first £15 of maintenance received for all parents - which is an improvement for lone parents, in particular, over Income Support. From October 1994, up to £40 per week of certain child-care expenses have been offset against earnings in calculating Family Credit. This is for lone parents, two-earner couples and couples where one partner works and the other is incapacitated and is designed to provide for the costs of a registered child-minder or nursery for children under 11. From April 1996, the disregard is to be increased to £60.

Northern Ireland

123. Although there are separate social security systems for Great Britain and Northern Ireland, the two systems operate, in general, on a parity basis so as to provide a single system of social security for the United Kingdom. An exception relates to Housing Benefit which helps with the cost of rent and/or rates for the home. The rates element of Housing Benefit in Northern Ireland is similar to Council Tax Benefit in Great Britain.

Article 11*

124. Recent laws of relevance to this subject are: Food Safety Act 1990; Agriculture Act 1993; Agricultural Tenancies Act 1995; Housing Act 1985; Housing (Scotland) Act 1987; Housing Act 1988; Housing (Scotland) Act 1988; Environment Protection Act 1990; National Health Service and Community Care Act 1990; Town and Country Planning Act 1990; Planning (Hazardous Substances) Act 1990; Planning (Consequential Provisions) Act 1990; Planning and Compensation Act 1991; Environment Act 1995.

Right to adequate food

125. The United Kingdom has an excellent food supply, and there is now a wider variety of safe, wholesome and nutritious foods than ever before. These foods are readily available throughout the year and throughout the country. Food has become relatively cheaper over the last 15 years, its price having fallen by 16 per cent relative to the All-Items Retail Prices Index over this period. The right to adequate food is therefore well realized in the United Kingdom.

---

* Reference is made to previous reports E/1980/6/Add.16 and Corr.1, E/1980/6/Add.26, E/1984/4/Add.27, E/1984/4/Add.28 and E/1989/5/Add.9.

126. Agrarian system and food supply. The United Kingdom Government's aims for the primary food-producing industries, which work towards ensuring adequate food for all, are:

(a) To protect the public by:

(i) Promoting food safety;

(ii) Taking action against diseases transmissible to man;

(iii) Planning to safeguard essential supplies in an emergency (food is no longer stockpiled for use in emergencies, but the four United Kingdom agriculture departments continue to plan to safeguard essential supplies in times of national emergency and the development of an extensive food supply database will facilitate assessment of possible emergencies);

(b) To enhance the rural and marine environment by:

(i) Protecting the rural economy, particularly in less-favoured areas;

(ii) Encouraging action to reduce water pollution;

(iii) Encouraging positive environmental measures;

(c) To improve the economic performance of the United Kingdom's agriculture, fisheries and food industries by:

(i) Seeking a Common Agricultural Policy (CAP) which enables United Kingdom producers to compete fairly with those elsewhere, and gives better value for money;

(ii) Creating conditions in which efficient and sustainable agriculture, fishing and food industries can flourish;

(iii) Taking action against animal and plant diseases and pests;

(iv) Adopting measures to conserve fish stocks;

(d) To protect farm animals by encouraging high welfare standards.

127. Through its involvement in the town and country planning system, the Government seeks to ensure that the loss of the best and most versatile agricultural land to development is kept to a minimum. Steering development away from this scarce and irreplaceable resource makes a significant contribution towards encouraging sustainable development.

128. Developments in agricultural policy and administration since the last report include:

(a) New agricultural holdings legislation in England and Wales. Tenancies created before 1 September 1995 (and any succession tenancies

arising from them) continue to be subject to the Agricultural Holdings Act 1986 which provides security of tenure and, together with subordinate legislation, a range of specific rights and obligations for landlords and tenants. Agricultural tenancies entered into on or after 1 September 1995 are subject to the Agricultural Tenancies Act 1995. This Act is intended to encourage more letting of land, by giving the parties greater freedom to negotiate their own agreements, including the length of the tenancy, while at the same time providing some important safeguards. This legislation does not apply to Scotland or Northern Ireland, where separate tenancy laws apply. The Agricultural Department in Northern Ireland is considering whether reform of its tenancy laws would be appropriate. In Scotland, the need for reform is not so urgent because flexibility of tenure arrangements is already available through use of suitably constituted limited partnerships;

(b) Training and educational facilities. The Government is keen to ensure that high quality up-to-date training is provided for the agriculture industry and that the local training infrastructure is maintained and functions effectively. To facilitate this process the Ministry of Agriculture, Fisheries and Food (MAFF) placed a contract worth £6.6 million to end in March 1996 with ATB-Landbase, the private sector successor to the Agricultural Training Board. This contract requires ATB-Landbase to provide strategic Industry Training Organization (ITO) services and to provide resources to support training activities locally. The Scottish and Welsh Offices also placed small contracts for additional services in Scotland and Wales. In line with the operations of the 120 + sector ITOs, it was always envisaged that the agricultural industry would meet the costs in the longer term. The Government has offered ATB-Landbase a further contract for the period to 31 March 1997, after which further work which the Government wishes to continue funding will be competitively tendered. In Northern Ireland, education and training are the responsibility of the Department of Agriculture;

(c) ADAS and Veterinary Service and research and development organizations. ADAS, formerly the Agricultural Development and Advisory Service and now an independent executive agency of MAFF and the Welsh Office, provides consultancy, analytical and research services to the industry in England and Wales. In Scotland, the advice comes either from the Scottish Office Agriculture, Environment and Fisheries Department or the Scottish Agricultural College and services which are available from the Scottish Agricultural Science Agency. In Northern Ireland, advisory, research and development services are provided by the Department of Agriculture.

129. The Agriculture Act 1993 contains various provisions relating to agricultural marketing and price support. Along with the Agriculture (Northern Ireland) Order 1993, it provides for the ending of the milk marketing schemes in the United Kingdom. The four statutory Milk Marketing Schemes in Great Britain came to an end on 1 November 1994 and the Northern Ireland Scheme came to an end on 1 March 1995. The Act empowers ministers to end the Potato Marketing Scheme and facilitates the transfer of the Potato Marketing Board's property, rights and liabilities to a successor body or bodies. It also empowers ministers to make grants for the marketing of agricultural horticultural and other produce. The Processing and Marketing Grants in England will remain open until 31 March 1996. The scheme is

expected to continue in Wales, Scotland and Northern Ireland. The Act terminates the wool and potato guarantees, repealing in consequence the requirement on ministers to hold an annual review of agriculture. It also amends the extent of levy-raising powers of agricultural development councils established under the Industrial Organization and Development Act 1947.

130. The enforcement of the Food Safety Act 1990 and legislation made under it, including the inspection and sampling of food at all stages of production, distribution, storage and sale, is generally the responsibility of local government. Enforcement responsibility remains with agricultural ministers in relation to milk production in England and Wales and for certain purposes in relation to eggs.

131. The State Veterinary Service is responsible for hygiene and welfare standards in slaughterhouses and meat processing plants. Day-to-day enforcement of the regulations which govern the hygienic production of fresh meat, poultry meat, farmed game meat and wild game meat is carried out by the Meat Hygiene Service, an executive agency of MAFF. The Veterinary Medicines Directorate is responsible to agriculture and health ministers for the licensing and other controls on the manufacture, sale and distribution of veterinary medicines; for the surveillance of residues in meat; and for the monitoring of suspected adverse reactions to veterinary medicines in animals and humans. In carrying out these activities, the Directorate is advised by the independent and expert Veterinary Products Committee.

132. Intra-community arrangements have been put in place to enable Horticultural Marketing Inspectorates from all EU member States to apply the Quality Standards legislation for fruit and vegetables consistently. The standards, which cover 36 products, are intended to remove unsatisfactory produce from the market, to provide a degree of consumer protection and to facilitate trade on a fair and equitable basis whilst reflecting technological developments within the industry.

133. The Agricultural Wages Board (AWB) sets the minimum rates of pay and terms and conditions for people employed in agriculture and horticulture in England and Wales. Similar arrangements exist in respect of Scotland and Northern Ireland where there are separate and autonomous Boards. Enforcement of the orders made by the various Boards is carried out by the appropriate agricultural department. The Boards are reviewed every five years and the latest review was initiated in July 1993. Although the United Kingdom has denounced the relevant ILO conventions in order to ensure maximum flexibility within the industry, the Government announced on 20 December 1994 that, following consultations with all sectors of the agricultural industry, the three Boards would be retained.

134. Food legislation. MAFF, the Department of Health, the Scottish Office Home and Health Department, Welsh Office, Scottish Office, Agriculture, Environment and Fisheries Department and Department of Health and Social Services Northern Ireland are jointly responsible for food legislation in the United Kingdom. Lead responsibility on such matters as the quality, composition (including additives and contaminants) and labelling of food, and the hygiene aspects of the production of meat and milk rests with MAFF. The

Ministry also acts as the lead department on food matters generally. However, the health and hygiene aspects of food generally are the responsibility of the Department of Health.

135. The Food Safety Act 1990, which replaced the Food Act 1984 and the Food and Drugs (Scotland) Act 1956, provides an extensive legal framework in the food law area including offences, defences and penalties. The main offences are:

(a) Rendering food injurious to health;

(b) Selling, or possessing for sale food that does not comply with food safety requirements;

(c) Selling to the purchaser's prejudice food not of the nature, or substance, or quality demanded by the purchaser;

(d) Falsely or misleadingly describing or presenting food.

136. The Act covers Great Britain. Separate but similar legislation applies in Northern Ireland. Over 40 individual regulations have been made under the Act including rules on labelling, hygiene, contaminants, additives and flavourings, materials and articles in contact with food, registration of premises and composition. (A review is taking place to determine whether particular regulations or codes of practice are still needed in view of the potential burdens on industry and, if so, whether they can be simplified so that they are more easily understood and sensibly and realistically enforced.) United Kingdom regulations (other than those implementing EU requirements) are notified to other EU member States and the European Commission under the EU technical standards directive (83/189/EEC) and internationally through GATT.

137. United Kingdom food law developed as the need arose in various sectors and has grown into a large body of law. The Food Safety act is designed to ensure that the consumer has access to food which is fit for human consumption. Attention is also drawn to the reports on Targets 20 and 22 (relating to drinking water and "foodborne" problems) in the United Kingdom's 1994 Monitoring Report to the World Health Organization attached as appendix 12 to this report.

138. Research. Ministry funding for research and development has been directed to support the Ministry's policy responsibilities in:

(a) Protection of the public, with respect to:

(i) Food safety, quality and nutritional adequacy;

(ii) Animal diseases transmissible to man;

(b) Enhancing the rural environment, with respect to:

(i) Reducing water pollution from agriculture;

(ii) Encouraging positive environmental measures;

(iii) Protecting the rural economy;

(c) Improving the economic performance of the agriculture, fisheries and food industries, with respect to:

(i) Strategic underpinning of technological development;

(ii) Control of animal and plant diseases, pests and weeds;

(iii) Conservation of fish stocks.

The overall emphasis is on maintaining supplies of food in the context of a sustainable rural society, while protecting the environment and food producing resources.

139. In Scotland, the Scottish Office Agriculture, Environment and Fisheries Department funds agricultural and fisheries science and related biological, food, environmental, economic and social science. It does so in support of the Department's policy and statutory and regulatory responsibilities, and to add to the body of scientific knowledge to the highest standards of international excellence.

140. The results of research are transmitted to the industry through various mechanisms. The United Kingdom Government ensures that advice on all matters relating to efficient agricultural production including soil conservation, the control of pests and diseases in crops in the field and after harvest, as well as the adequate on-farm storage of food crops, is available to all farmers and growers. Advice is given in England and Wales by ADAS, the food and farming consultancy, with a network of consultancy, research and laboratory centres throughout the country. In Scotland advice is available through the Scottish Agricultural College and in Northern Ireland it is given by the Department of Agriculture's Agri-Food Development Service.

141. Food distribution. As far as food distribution is concerned, the mechanisms of the Common Agricultural Policy apply to most of the United Kingdom's agricultural production and to many of the imports of temperate foodstuffs which come from other EU member States. Within the United Kingdom there is a well-developed communications network which enables agricultural products to be transported without difficulty from the farm or port to markets and food processors and thence to the consumer.

142. Monitoring nutritional standards. The United Kingdom Government monitors the nutritional adequacy of the diet in Great Britain in two ways. The first is by means of the continuous National Food Survey, which records the amounts and cost of foods obtained, and their nutritional value, in about 8,000 nationally representative households each year. Results are analysed to show the nutritional value of diets in different regions within the United Kingdom, in different family income groups and in households with different family composition, both absolutely and in comparison with Dietary Reference Values. The table attached to this part of this report show selected results from 1993 and those five years earlier. The second method is the National Diet and Nutrition Survey which is a periodic specialized survey of diet and nutritional status of individuals in the country. Nationally representative samples of adults aged between 16 and 64, 6 to 12-months-old infants, children

from 1½ to 4½, and older adults (aged 65+) have been studied since 1986. The next population group to be studied, in 1996/97, will be children from 4 to 16 years.

143. Dissemination of principles of nutrition. In the United Kingdom, governmental responsibility for the dissemination of knowledge of the principles of nutrition is shared between government departments and health promotion agencies. The role of Government is directed primarily towards assessing, assembling and the dissemination of information on the scientific aspects of nutrition based on scientific evidence. This information is made available to the health professions and the public so that sensible dietary choices can be made. The Government is advised on matters of nutrition by an expert committee, the Committee on Medical Aspects of Food Policy (COMA). Over the years there have been a number of government publications, based on the advice of this Committee, dealing with the nutritional aspects of health. In 1991 COMA produced a report on Dietary Reference Values for Food Energy and Nutrients for the United Kingdom and in 1994 updated its 1984 report on Diet and Cardiovascular Disease. These reports are also available to the public as priced publications.

144. In Scotland, the report of a working party of diet and health experts established by the Chief Medical Officer for Scotland was published in December 1993. The Scottish Diet Report surveyed the current diet of the Scottish people, assessed the relevance of diet to health, made proposals for improvement in diet and assessed their likely impact. The Government accepted the report's findings and established the Scottish Diet Action Group to develop a strategy to implement a series of dietary targets distilled from the report. The Action Group first met in November 1994 and is due to produce its strategy in 1996.

145. The Government has an ongoing campaign entitled "Food Sense" to provide clear and authoritative information to the public on various food matters including healthy eating. It also publishes other clear and simple dietary advice for health professionals such as "Eight Guidelines for a Healthy Diet" in collaboration with the Health Education Authority. A national food guide (an educational tool to demonstrate in graphical format the recommended balance of foods in the diet) has been published by the Health Education Authority, in partnership and with the cooperation of a number of government departments. The Government is also collaborating with the British Nutrition Foundation (BNF) on its resource pack for schools "Food - A Fact of Life". This provides a general framework for teaching food and nutrition across the whole curriculum from ages 5 to 16.

146. As noted in this report on article 9, the White Paper, "The Health of the Nation", identified targets for health improvements in England in five key areas: coronary heart disease (CHD) and stroke; cancers; mental illness; HIV/AIDS and sexual health; and accidents. Diet and nutrition are factors in two of these key areas, CHD and stroke and, to a lesser extent, cancers. Targets are set for the reduction in deaths from CHD and strokes by the year 2000. Targets are also set in relation to the main risk factors associated with deaths from CHD and stroke, including targets (for the year 2005) for the reduction in consumption of fat and saturated fat and a

reduction in the prevalence of obesity. The White Paper recognizes that the dietary targets can only be achieved within the context of the balance of the diet as a whole and COMA recommendations on dietary intakes.

147. The Government set up a Nutrition Task Force in October 1992 to draw up a programme of action towards achieving the dietary targets set out in the White Paper. The programme of action was published in March 1994 under the title "Eat Well". The emphasis of the programme is on a range of action involving a number of different interests aimed at encouraging and assisting consumers to make the changes in the balance of their diets necessary to achieve the dietary targets. The programme broadly covers action related to the provision of information; education in schools; advertising; guidelines to assist caterers; training for caterers; development by the food industry of lower fat and lower salt products; promotion of consumption of complex carbohydrates (bread and other cereal products, rice, pasta and potatoes), vegetables and fruit, and fish and fish products; development of a handbook for National Health Service (NHS) managers; training for health professionals and research into effective dietary intervention in the NHS. The programme is now being implemented through a series of Project Teams set up by the Nutrition Task Force.

148. The 1992 White Paper also includes targets for reducing the proportion of men and women consuming more than a recommended amount of alcohol (defined in units). The Government is working on issues related to information for the public about moderate consumption levels, including a voluntary format for stating on labels the number of units of alcohol in a container of drink. A move towards a balanced diet and sensible drinking should also help to reduce the incidence of cancers. No distinct targets have been set for diet-related cancers in the cancers key area, but the possible benefits have been taken into account in the programme of action to implement the Health of the Nation strategy.

149. The Health Education Authority (HEA) was set up in 1987 to replace the Health Education Council (HEC) and it has a major role in nutrition education. The HEA's main role is to advise the Government on health education, to undertake health education programmes either directly or jointly with other bodies concerned with health education, undertaking research and evaluation on health education matters including diet and nutrition, assisting in the provision of related training, the provision of materials relevant to health education and the provision of national centre of information and advice. Its activities include the production of information and publicity material in support of national and local campaigns and the measurement of the effectiveness of the results of its campaigns. Similarly in Scotland, the Health Education Board for Scotland (HEBS) was set up in 1991 by the Scottish Office as the national centre for health education expertise and information. In Northern Ireland, similar functions are undertaken by the Health Promotion Agency which was established in 1990.

150. The Government also commissions analyses of foods and scans all relevant literature in order to maintain an up-to-date bank of information on nutrient composition of foods. This is also used to update the publication "The Composition of Foods" which is used by dieticians, home economists, nutritionists, research workers, caters and the food industry.

151. Although government activity in this area is extensive, a great deal of people's understanding of nutrition is derived from non-governmental sources, i.e. from family and friends, school, the media (e.g. television programmes and publications such as women's magazines), the food and retail industries and the medical profession. In particular the Nutrition Task Force programme, mentioned above, relies heavily on action by a number of agencies to disseminate information and to take action to bring about dietary changes.

152. Hunger and malnutrition. There are now few examples of hunger or malnutrition in any population group in the United Kingdom (of particular concern is the proportion of children under five years old with below the lower reference nutrient intakes for vitamin A, iron and zinc), but obesity is not uncommon in all sections of the population and has been rising. The high level of mortality from heart disease has been linked to excessive intakes of saturated fat in particular. Within Britain, there are now only small regional or income variations in nutrient intakes (the calculated values of which do not include the contributions from confectionery and soft or alcoholic drinks). Intakes are, however, lower per person in larger families, in part because of the smaller nutritional needs of children (see the following table). And although intakes have been declining for a number of years, they remain above the Dietary Reference Values for most nutrients.

Table

Intakes per person per day of selected nutrients from household food for the total population and selected population groups in Great Britain, 1988 and 1993

National average intakes:

Nutrient	1988	1993	1993 (as % DRV)
Energy (kcal)	2000	1830	87
Protein (g)	67.8	62.3	137
Calcium (mg)	860	810	118
Iron (mg)	10.9	9.9	95
Thiamin (mg)	1.39	1.25	149
Vitamin A (ug)	1270	1120	179
Vitamin C (mg)	61	52	134
Fat (% energy)	42	41.3	-

Average intakes in low income (non-pensioner) households with no earner:

Nutrient	1988	1993	1993 (as % DRV)
Energy (kcal)	2200	1820	87
Protein (g)	71.6	60.6	134
Calcium (mg)	900	790	114
Iron (mg)	11.5	9.5	92
Thiamin (mg)	1.49	1.23	145
Vitamin A (ug)	1340	1080	171
Vitamin C (mg)	55	44	112
Fat (% energy)	42.2	40.9	-

Average intakes in large families (with 4 or more children):

Nutrient	1988	1993	1993 (as % DRV)
Energy (kcal)	1820	1700	88
Protein (g)	58	51.2	139
Calcium (mg)	810	700	106
Iron (mg)	9.9	8.4	82
Thiamin (mg)	1.29	1.09	141
Vitamin A (ug)	790	700	123
Vitamin C (mg)	42	44	127
Fat (% energy)	38.7	40	-

Source: The Ministry of Agriculture, Fisheries and Food's National Food Survey. The calculated intakes do not include any contributions from confectionery and soft or alcoholic drinks. However, the calculations of nutrient intakes expressed as percentages of Dietary Reference Values do make allowance for meals outside the home.

153. Under the social security system, income-related benefits such as Income Support (which was introduced in 1988) are intended to provide for all normal day-to-day living needs, including, of course, food, of people on low income. Income Support may be claimed by people who work less than 16 hours a week and whose income, from all sources, is below a level approved each year by Parliament. Recipients of benefit are free to make their own choices on how much to spend on specific items like food. Income Support also supplements a wide range of other benefits which may be payable if the entitlement and contribution conditions are satisfied.

154. Measures relating to world food supplies. The United Kingdom has as its aim a more market-oriented Common Agricultural Policy (CAP) and therefore welcomed the 1992 agreement on CAP reform as the first step in changing the EU's agricultural policies which over the last three decades have led to over-production and depressed world prices. The measures introduced following that agreement have already reduced over-production which should lead to a reduction in subsidized exports of agricultural products. The constraints introduced as a result of the GATT Uruguay Round Agricultural Agreement should also help in achieving these aims by providing a framework within which

further development of the CAP in the direction of greater market orientation can take place. In particular, support prices will need to be reduced further to bring supply and demand more into balance. Outside the EU, changes brought about as a result of the GATT Uruguay Round settlement will lead to significant liberalization of world trade in agricultural products through tariff reductions and a gradual reduction of the trade-distorting effects of the present levels of export subsidies. It is likely that world food prices will show some upward effects as a result of these changes; in the longer term, this should increase incentives to farmers, encouraging developing countries to increase local production, reducing their dependence on imported food, and also help to raise rural incomes.

The right to adequate housing

155. General.

The following publications are appended to this report:

Appendix 13A - "DoE Housing Data and Statistics: Housing Key Background Figures"
Appendix 13B - "English House Condition Survey 1991: Key Facts"
Appendix 13C - "Housing in England 1993/94".
Appendix 13D - "Housing Trends in Scotland: Quarter ended 31 March 1995"
Appendix 13E - "Scottish House Condition Survey 1991: Key Findings"
Appendix 13F - "Welsh House Condition Survey 1993"
Appendix 13G - "Welsh Housing Statistics".

156. Government expenditure on housing 1994-95:

	£ million
Total General Government Expenditure (GGE)	288,900
State expenditure on housing	20,946
State expenditure on housing as a percentage of total GGE	7.25%
State expenditure on housing, excluding mortgage interest tax relief (MITR), as a percentage of total GGE	6.0%

157. Government expenditure on housing consists of:

	£ million
General Government Expenditure on housing	5,545
Housing Benefit	10,895
Income support for mortgage interest	1,006
MITR*	3,500

(*Tax relief is given to owner occupiers buying their own homes with a mortgage. This is not strictly government expenditure on housing but is government income forgone, and has been included for consistency).

158. Discrimination. The Sex Discrimination Act 1975 and the Race Relations Act 1976, prohibit any discrimination on grounds of sex or race. The 1975 Act provides that it is unlawful for a person in relation to premises in Great Britain of which he has power to dispose, to discriminate against a man or woman in the terms on which he offers him or her those premises, or by refusing his or her application for those premises, or in his treatment of him or her in relation to any list of persons in need of premises of that description. There is a similar prohibition of discrimination in the section in relation to benefits or facilities to persons occupying premises. There is an exception for small dwellings where the landlord or a near relative lives on the premises. There are similar provisions in relation to race contained in the 1976 Act, and similar exception for small dwellings. The same type of provisions also apply to people with physical disabilities under the Disability Discrimination Act 1993 (appendix 5). Part III of the Northern Ireland Constitution Act makes it illegal for a public body to discriminate on the grounds of religious or political opinion. Since its inception in 1971, the Northern Ireland Housing Executive has allocated housing in a consistently fair and open way.

159. The attention of the Committee is drawn to paragraphs 78 to 81 of the 1995 CERD Report.

160. Legislation relating to land use, health and human settlements. The Town and Country Planning Act 1990, together with the Planning (Hazardous Substances) Act 1990, Planning (Listed Buildings and Conservation Areas) Act 1990, and Planning (Consequential Provisions) Act 1990 form the main consolidation of older legislation relating to planning and land use. The first deals with the development of land, which is defined as including the carrying out of building operations on land and the making of any material change in the use of any buildings or other land. Generally, planning permission is required for the carrying out of any development of land. Therefore, most forms of housing provision will require planning permission, including conversions involving subdivision of a house or change of use from non-housing uses. Part II of the 1972 and 1990 Town and Country Planning Acts contain a series of provisions about the preparation and adoption of development plans which are relevant to issues such as land use and land allocation. In Scotland the equivalent legislation for the 1990 Planning Act is the Town and Country Planning (Scotland) Act 1972. The Planning and Compensation Act 1991 introduced a plan-led system, new enforcement procedures, registration of old mineral permissions, development control changes and land compensation. This Act covered Scotland as well as England and Wales. Various guidance circulars have also been issued; they include Planning Policy Guidance, Minerals Planning Guidance and Regional Planning Guidance.

161. The Land Compensation Acts 1961 and 1973, as principally amended by the Planning and Compensation Act 1991, provide for compensation to be payable on compulsory purchase and in certain other circumstances, e.g. service of a Blight Notice. The land compensation code (principally contained in the 1961 and 1973 Acts and the Compulsory Purchase Act 1965 and Planning and Compensation Act 1991) provides for those whose homes are compulsorily purchased to be compensated on a basis which leaves them in the same position financially as would otherwise be the case. In addition, a home loss payment

is payable to residential occupiers as a solace for losing their homes. In those (rare) cases where those affected are unable to find accommodation, the local housing authority has a duty to rehouse them. If a local authority needs to redevelop an estate, by law it must offer tenants suitable alternative homes. This is part of a substantial package of rights enjoyed by council tenants, which are enshrined in statute.

162. In Northern Ireland the relevant legislation is: Planning (Northern Ireland) Order 1991; Land Development Values (Compensation) Act 1965; Planning (Northern Ireland) Order 1972; Land Acquisition and Compensation (Northern Ireland) Order 1973. The Environmental Protection Act 1990 defines matters which constitute statutory nuisances including, for example, any premises in a state of repair that would be prejudicial to health or a nuisance and noise emitted from premises which would be prejudicial to health or a nuisance. The Act also sets out procedures for action by local authorities. The Housing Act 1985 imposes duties on local authorities with regard to houses unfit for human habitation, for example to serve a repair notice and, if it is not complied with, to do the necessary works themselves and charge the cost to the owner. The authority may also take other action, for example it may make a clearance order and purchase the housing in order to demolish it ("slum clearance"). Alternatively the authority may declare a renewal area. Renovation grants are mandatory for unfit dwellings. Equivalent legislation in Scotland to the Housing Act 1985 is the Housing (Scotland) Act 1987, where the equivalent concept is referred to as "a house in serious disrepair". The Environment Act 1995 established the Environment Agency with general environmental and recreational duties, and contains provisions with regard to contaminated land and national parks.

163. Legislation relating to the right to housing. Part III of the Housing Act 1985 prescribes the duty of local authorities to house the homeless. Section 63 states that if the local housing authority has reason to believe that an applicant may be homeless and has a priority need, it shall ensure that accommodation is made available for his occupation pending a decision as a result of the authority's inquiries. This duty arises irrespective of any local connection which the applicant may have with the district of another local housing authority. Local authorities also have a duty to persons threatened with homelessness. Comparable provisions apply in Scotland by virtue of Part II and section 29 of the Housing (Scotland) Act 1987. Part II of the Housing (Northern Ireland) Order 1988 contains duties to house the homeless which are similar to those which apply in the rest of the United Kingdom.

164. The Social Security Contributions and Benefits Act 1992, the Social Security Administration Act 1992 and the Housing Benefit (General) Regulations 1987 (as amended) provide for housing benefit to be paid to tenants in the private rented and social rented sectors. It is intended to ensure that households on limited incomes can afford to pay reasonable rents, without their residual incomes falling below a pre-set minimum. The benefit is payable to tenants who satisfy normal qualifying criteria, whether or not they are in full-time employment. Housing Benefit can meet up to 100 per cent of the rent for a specific property and household, so long as the rent is considered to be reasonable and is in line with the general level of rents in the locality for property of a similar size. Some tenants are protected from

restrictions on the amount of rent on which Housing Benefit is payable or are eligible for additional help above the normal level of benefit, depending on their circumstances or the type of accommodation which they occupy. Total expenditure on Housing Benefit was over £10 billion in 1994/95.

165. Provision of housing. Just under a quarter of all households live in social rented housing - provided at rents below market levels, and affordable to households on low incomes, with additional help provided through Housing Benefit to those on the lowest incomes. Legislation also encourages the provision of rented housing by private providers, with Housing Benefit helping low-income households afford the rent. Public investment is expected to produce 70,000 additional social lettings in England in 1995/96, of which around 58,000 will be newly built homes or properties purchased from the private sector which may require rehabilitation, to provide social housing for rent or shared ownership. Other lettings are created through cash incentives to help existing social tenants to buy their own property in the private sector. Similar investment takes place in the rest of the United Kingdom.

166. Housing associations are the main providers of new social housing for which central Government provides funding through the Housing Corporation and Scottish Home, non-departmental public bodies. Housing associations are non-profit-making organizations which provide and manage affordable homes for rent or shared ownership. Many of them are community based. They work with elected local authorities to meet local housing needs.

167. Local authorities have powers to assist housing associations to help them provide social housing and may, with the consent of the Secretary of State, transfer land to them below market value.

168. The national planning policy for housing is set out in Planning Policy Guidance note 3 (PPG3) "Housing" and in the Scottish National Planning Policy Guideline (NPPG 3) "Land for Housing". The guidance makes clear that planning authorities should make full and effective use of derelict, underused and waste land in urban areas to reduce the pressures for development in the countryside, and assist urban regeneration. However, the guidance recognizes that housing will continue to be needed on greenfield sites outside urban areas. Development here should be sensitively related to the existing pattern of settlement in terms of densities, scale and environmental quality. Recognition is given to the fact that new housing may help to maintain local shops, pubs, schools and other features of community life. In the case of rural areas, PPG3 advises planning authorities that they may exceptionally release small sites within or adjoining existing villages. Since housing would not normally be permitted on these sites, the land should be retained purely for affordable housing to meet local needs.

169. A new statutory body called English Partnerships (the Urban Regeneration Agency) came into full operation on 1 April 1994. Its main aim is to bring vacant, derelict and underused land and buildings throughout England back into use, either to be developed or to take forward previous schemes with a similar purpose. The new body has taken over the programmes of English Estates, City Grant and Derelict Land Grant (DLG). English Partnerships is not a direct provider of housing but it can facilitate the provision of housing by others. It can, for example, assist local authorities, housing associations and others

by reclaiming land that can be used for housing. It can also put in place the necessary infrastructure on land for a residential end-use. The functions exercised by English Partnerships in relation to vacant, derelict and underused land and buildings in England are in Scotland paralleled by Scottish Enterprise and Highlands and Islands Enterprise, acting through their net works of Local Enterprise Companies.

170. To help developers obtain information about vacant sites, public bodies are asked to maintain publicly available registers of their vacant land holdings. The Secretary of State for the Environment can also direct local authorities and some other public bodies to dispose of vacant and underused land which they no longer need. Under the Public Request to Order Disposal scheme, developers and others can ask the Secretary of State to make a disposal direction. In Scotland, the local authorities and the Government collaborate to produce the annual Scottish Vacant and Derelict Land Survey. It records vacant sites in urban areas and derelict land throughout the country. The information helps to inform policy and set the priorities for treatment. Developers may request site specific data from the local authorities.

171. Rents and affordability of housing. There is no legislation which directly relates to housing affordability, and no Government-set limits on affordability set as a ratio of income or otherwise. An increasing amount of rents are now set at market levels. However, rents in the social rented sector are subsidized to keep them affordable and Housing Benefit is available to help those in need, such as the low paid, who cannot afford market rents.

172. In the private sector, most lettings since 1989 are, in accordance with the Housing Act 1988 and the Housing (Scotland) Act 1988, at market rents and landlords are free to set the market rent. However, assured tenants have limited rights to refer excessive rents to Rent Assessment Committees for a review. Most pre-1989 private tenants have the right under the Rent Act 1977 and the Rent (Scotland) Act 1988 to have a fair rent registered by the rent officer every two years and a right to appeal to a Rent Assessment Committee against the rent set by a rent officer. The rent officer is required by the legislation to determine a fair rent and fair rents are generally lower than the market rents because, under the Rent Act 1977 and the Rent (Scotland) Act 1988, he has to disregard any element of the market rent due to scarcity.

173. Housing Benefit is an income-related social security benefit to help people who rent their homes and have difficulty meeting their reasonable housing costs. It can be paid to tenants who satisfy normal qualifying criteria, regardless of whether they are in full-time employment. It ensures that household income after payment of rent does not fall below a set absolute minimum for households paying an average market rent for property of an appropriate size and type. Maximum benefit, which can meet up to 100 per cent of a reasonable rent liability, is payable to people with income equal to or below Income Support level. Maximum benefit entitlement is reduced on a sliding scale as income rises above this level. Housing Benefit is paid to about 4.7 million households at a cost of over £10 billion annually. It is considered a more efficient way of providing subsidy to those who need it than across-the-board "brick and mortar" subsidies. The United Kingdom housing benefit scheme is among the most generous in the EU.

174. Income Support is a benefit available to home owners to assist with the payment of mortgage interest of households who are not in work. This help goes to about 500,000 households and costs around £1 billion annually. Households in work, buying their own home, receive more limited assistance. Some households face particularly heavy mortgage payments. Figures are monitored and surveys suggest that 5 per cent of households (500,000 families) are paying more than 35 per cent of their incomes, after tax, in mortgage payments.

175. The Rent (Northern Ireland) Order 1978 governs private tenancies in Northern Ireland and provides for controlled and uncontrolled tenancies. In controlled tenancies rents have a statutory maxima (set on appeal to a Rent Assessment Committee if necessary) and tenants have security of tenure. Uncontrolled tenancies allow for rents to be negotiated between landlord and tenant and security of tenure is limited, statutorily, to four weeks' notice. Uncontrolled tenancies are generally in furnished properties or in properties built after 1956.

176. Availability of housing. The number of persons in different types of housing tenure in the United Kingdom as indicated by the 1991 Census was as follows:

Housing tenure	Households	Persons
Social/public	5 378 000	12 669 000
Private rented sector	1 987 000	4 786 000
Owner occupiers	14 536 000	40 100 000

177. In April 1995, the number of persons on waiting lists for obtaining accommodation in England was 1.1 million, down from 1.3 million in April 1991. Local authority waiting list figures are generally poor indicators of housing need. In England, the routes into local authority housing survey of those on the waiting list estimated that only 43 per cent of waiting list applicants were still at their registered address and wanting to be rehoused immediately (with a further 14 per cent registered as an insurance policy for the future). "Routes" research (attached as appendix 14), which used local authority records to determine how long new tenants had waited for their housing in 1991, shows the overall median waiting time waiting for all new tenants was a year. Those housed through the statutory route waited 0.7 of a year; those housed from the waiting list waited 1.2 years.

178. The publication "Scottish Office Central Research Unit Report on Local Authority Housing Waiting List in Scotland" is attached to this report as appendix 15. In Northern Ireland, there were 23,357 households on the Housing Executive's waiting list at September 1995. The average length of waiting time is not available. The Department of the Environment for Northern Ireland and the Northern Ireland Housing Executive have commissioned a study of waiting lists and housing allocations, to improve understanding of the needs of people seeking public and housing association housing.

179. Security of tenure and protection from eviction. Most self-contained private lettings since 1989 are assured or assured shorthold tenancies under the Housing Act 1988 and in Scotland assured or short assured tenancies under the Housing (Scotland) Act 1988; most housing association lettings since 1989 are assured tenancies. Assured tenants have full security of tenure and the tenancy can only be brought to an end on the grounds specified in the Act. In England and Wales, assured shorthold tenancies give the landlord a guaranteed right to repossess the property when he needs to although the tenant has security of tenure for an initial period of six months or for a longer initial period if the landlord agrees to it. At the end of the initial fixed term, the landlord may agree a new fixed term or the tenancy may continue indefinitely. The landlord can only seek to terminate the tenancy during a fixed term on the grounds set out in the Act. Notice has to be given to end an assured or assured shorthold tenancy and the tenant cannot be evicted without a court order. In Scotland, short assured tenancies are similar except that at the "ish" or end of the tenancy, the court must make an order for possession if (a) the principle of tacit continuation (the tenancy not continuing as before) is not operating; (b) a further tenancy does not exist; and (c) the landlord has given notice.

180. Most self-contained private lettings before 1989 are regulated tenancies under the Rent Act 1977 and the Rent (Scotland) Act 1984. The tenant has long-term security of tenure and the tenancy can only be brought to an end under the grounds specified in the Act. Notice has to be given to end a tenancy and a tenant cannot be evicted without a court order.

181. In England and Wales, non-self-contained lettings and lettings by resident landlords are classed as licenses to occupy. Licensees have no security of tenure and the landlord can bring the letting to an end at any time, provided reasonable notice is given. In Scotland, while a licence (which is not a lease) can exist, there have been very few and they are becoming fewer.

182. Council tenants enjoy security of tenure and can only be evicted following a court order. The relevant legislation is the Housing Act 1985.

183. In England and Wales, a landlord cannot normally enforce his right to get his property back from a residential tenant, or in many cases a licensee, without a court order. Even in the limited circumstances where the landlord does not require a court order, for example, to evict a lodger or a person in a publicly funded hostel, there is a common law requirement, where the tenancy is periodic, to give prior notice of termination. In Scotland, a landlord cannot regain possession of his property without a court order, but where a lodger has a right of occupancy which is not a tenancy and shares living accommodation with a resident owner, that owner does not require a court order to get the lodger to leave. In Northern Ireland, a court order is required to evict any tenant and protection against illegal eviction or harassment is available through the district council.

184. The Protection from Eviction Act 1977 and the Rent (Scotland) Act 1984 state that it is a criminal offence unlawfully to evict a residential occupier of his home and the Housing Act 1988 and the Housing (Scotland) Act 1988

provide that damages are available in the civil courts for tenants and residential occupiers who have been unlawfully evicted. The Criminal Law Act 1977 makes it a criminal offence to use violence to secure an entry.

185. Figures on the number of people evicted in the last five years are not available. The table below shows the number of possession orders made for private landlords in the last five years in England and Wales.

Year	Possession orders for private landlords in England and Wales
1990	20 905
1991	15 435
1992	13 834
1993	11 610
1994	13 811

Statistics on eviction orders obtained from courts in Northern Ireland are not collected centrally. Information on evictions in Scotland is not generally available, but there is little evidence of a lack of legal protection for tenants.

186. The United Kingdom has no figures on the number of persons living in "illegal" settlements or as squatters. Under the Limitation Act 1980 a title can be awarded to "squatters" after 12 years' adverse possession without any permission to occupy or acknowledgement of title of the owner or payment of any rent, etc. The Act applies to England and Wales only.

187. Vulnerable and disadvantaged groups. The law requires local authorities to ensure that in selecting their tenants a reasonable preference is given to: people occupying insanitary or overcrowded houses; people with large families; people living under unsatisfactory housing conditions; people accepted under the homelessness legislation (see para. 163 above).

188. Where households are homeless or threatened with homelessness, local authorities are required to regard the following as having a priority need for housing: pregnant women; people with dependent children; people who are vulnerable due to old age, mental illness or handicap or physical disability or other reason; people who become homeless as a result of an emergency.

189. Local authorities must take account of provisions in the National Health Service and Community Care Act 1990 (people requiring care in the community), and of the Children Act 1989 (children in need aged 16 or over) in assessing whether someone has priority need. Research shows that the main characteristics of those waiting for local authority housing are that they tend to have low economic activity, low incomes and few assets. Some may be disadvantaged because they have medical problems or disabilities requiring particular types of accommodation (the publication "Routes into Local Authority Housing" is attached to this report as appendix 14).

190. Specific research has been carried out on the housing difficulties

of people with HIV/AIDS; those experiencing a breakdown in personal relationships; elderly and disabled people; single homeless people and rough sleepers. Summary reports are attached to this report as follows:

Appendix 16A - "In Brief: Survey of Single Homeless People"

Appendix 16B - "Housing Research Summary: The Housing Aspects of AIDS and HIV Infection"

Appendix 16C - "Housing Consequences of Relationship Breakdown"

Appendix 16D - "Housing Research Summary: Living Independently"

Appendix 16E - "Housing Research Summary: Outreach and Resettlement Work with People Sleeping Rough"

Appendix 16F - "Housing Research Summary: Private Renting for Single Homeless People"

Appendix 16G - "Statistical Bulletin: "Operation of the Homeless Persons Legislation in Scotland 1983/84 to 1993/94: District Analysis"

191. Legislation requires that local authorities are required to secure accommodation for homeless households in priority need. Priority need includes families with children, pregnant women, and those who are vulnerable as a result of old age, mental illness or handicap, physical disability. Northern Ireland's homelessness legislation (Part II of the Housing Bill (Northern Ireland) Order 1988) contains two additional categories of persons in priority need; persons, without dependent children, who are at risk of violence and young persons who are at risk of sexual or financial exploitation. The requirement to secure accommodation for those in priority need is immediate, and does not depend on the outcome of investigations into the causes of homelessness.

192. In England, around 120,000 households were accepted as statutorily homeless by local authorities in 1994/95, in Wales 10,200 and in Northern Ireland 4,000. Latest figures for Scotland show that around 16,900 were accepted as statutory homeless in 1993/94. These figures are often quoted as "the number homeless". However, once people have been accepted as homeless under this legislation they are not without homes. Many of them are housed temporarily in houses and flats. A small proportion are put up in bed and breakfast or hostel accommodation before being found longer-term housing.

193. There are very few people in the United Kingdom who are literally homeless in the sense that they do not have a roof over their heads. The Government is committed to ensuring that there is no necessity for people to sleep rough. The last official national count of people sleeping rough in the United Kingdom is the 1991 Census. Then just over 2,000 (2,287) people were found sleeping rough on Census night. Just over 1,000 of these (1,197) were

in London (the majority in central London). More specialized surveys, looking specifically at rough sleeping in Central London, give a lower figure. They suggest the number of people sleeping rough in central London has fallen to around 270 as a result of targeted help to rough sleepers.

194. In Scotland the number of people sleeping rough on the night of the 1991 Census was 145. A survey is being carried out in Scotland of the prevalence of rooflessness in Scotland, with the results due to be published in mid-1996.

195. There is no official evidence of anyone sleeping rough in Northern Ireland.

196. Inadequate housing. In the United Kingdom the vast majority of households have ready access to basic amenities such as piped water, electricity, a WC and heating. Some homes have serious problems of damp and structural stability but even these are experienced by a relatively small number of households. Most of the United Kingdom housing stock is in good condition and is well provided for in terms of basic amenities and services. Attached to this report are:

Appendix 17A - "Adequate Housing in the United Kingdom: ICESCR Indicators"

Appendix 17B - Statistical Bulletin "Dwellings below the Tolerable Standard (BTS) in Scotland: Estimates by Local Authorities for March 1994 and detail of action on such dwellings".

197. Building codes. The Building Act 1984 and the Building Regulations 1991 (SI 1991/2768) as amended by the Building Regulations (Amendment) Regulations 1992 (SI 1992/1180) provide for building standards. Section 1 of the 1984 Act enables the Secretary of State for the Environment to make regulations with respect to the design and construction of buildings and the provision of services, fittings and equipment for the purpose of securing the health, welfare and convenience of persons in or about buildings or matters connected with buildings. The Act allows the Secretary of State to give a direction dispensing with or relaxing the requirement, if he considers that the operation of a requirement in the building regulations would be unreasonable in relation to the particular case, after consultation with the local authority.

198. Under section 16 of the Act, where plans of any proposed work are in accordance with the building regulations deposited with a local authority it is the duty of the authority to pass the plans unless they are defective, or show that the proposed work would contravene any of the building regulations, subject to other provisions of the Act which may require or authorize them to reject the plans. Under section 36 the local authority may require the owner by notice to pull down any work which does not comply with the building regulations, and if it does not do so the local authority may do so.

199. Scotland and Northern Ireland have their own Building Regulations which are similar to those which apply in England and Wales.

Article 12*

200. The Committee's attention is drawn to pages 72 and 84 to 99 of the 1995 CEDAW Report; to paragraphs 84 to 87 of the 1995 CERD Report and to paragraphs 357 to 456 of the 1994 Child Report.

201. The particular matters referred to in the Committee's guidelines are extensively reported on in the Department of Health Report for 1994 to the World Health Organization on Monitoring the Strategies for Health for All by the Year 2000 (the "Strategies Report" which is appended to the present report as appendix 12). In this part of the present report, attention is drawn to the reports on the various targets in the Strategies Report. Reports on medical care are also set out under article 9 above.

202. For information on the provision of health care overall and with regard to various groups together with statistical indicators relating to regional and various population groups, see Target 1 and the tables annexed to it in the Strategies Report.

203. As indicated in Target 1, the United Kingdom has a comprehensive health policy. Recent initiatives in the provision of primary care are noted, with Global HFA indicators in Target 26 of the Strategies Report. Provision of health services through the National Health Service (NHS) is noted in paragraphs 43 to 56 above. Various Services and programmes are noted in Target 28 of the Strategies Report.

204. The following table sets out the expenditure on health for the year 1993 and for the years 1983 and 1988:

---

* Reference is made to previous reports E/1980/6/Add.16 and Corr.1, E/1980/6/Add.26. E/1986/4/Add.23 and E/1985/5/Add.9.

Table of expenditure

	1983	1988	1993
27.05.01 Total health expenditure £ million	18 218	27 316	44 408
27.05.04 Total expenditure on in-patient care, £ million	10 224	14 569	21 900
27.05.07 Total pharmaceutical expenditure, £ million	2 456	3 819	6 618
34.01.01 % of GNP spent on health	5.9%	5.7%	7%
34.01.02 % of GDP spent on health	6%	5.8%	7.1%
27.05.03 Public health expenditure as a % of total health expenditure	87.4%	84%	83%
27.05.05 Total in-patient expenditure as a % of total health expenditure	56.1%	53.3%	49.3%
27.05.06 Public in-patient expenditure as a % of total in-patient expenditure	95.2%	92.3%	91.6%
27.05.08 Total pharmaceutical expenditure as a % of total health expenditure	13.5%	14%	14.9%
27.05.09 Public pharmaceutical expenditure as a % of total pharmaceutical expenditure	64.8%	66.7%	63.2%

Notes:

1. All figures are at current prices.

2. 27.05.01 Total health expenditure: the United Kingdom data conforms to COFOG definitions. However, it does exclude nursing home expenditure and expenditure on health by the armed forces and the prison services.

3. 27.05.04 Total expenditure on in-patient care: these figures are estimates. Public in-patient expenditure is pro-rated from England to United Kingdom figures based on population shares. After 1991, public expenditure includes an allowance for capital charges. Earlier data has been adjusted to be consistent. Estimates of private expenditure are not centrally collected and are thus liable to error. Figures exclude expenditure on nursing homes and ambulances, but include expenditure on out-patient services and day care cases provided in hospitals.

4. 27.05.07 Total pharmaceutical expenditure: excludes pharmaceuticals prescribed by hospitals, but includes non-prescription ("over-the-counter") pharmaceuticals.

5. 34.01.02 Percentage of GNP spent on health: OECD data refers to GDP, not GNP. As OECD uses GDP at market prices, GNP is also based on market price estimates.

6. 34.01.02 GDP at market prices.

In addition, please see the assessment in Target 27 of the Strategies Report.

205. Infant mortality rates for 1991 are set out overall and for various regions in the United Kingdom at table 3 of Target 1 of the Strategies Report, and for 1994 for England and Wales in appendix 18 to this report. It will be seen from Target 7 of the Strategies Report, that the infant mortality rate has fallen in recent years. That Target also provides information on the effect of the immunization programme, the introduction of deprived area payments to increase the family doctor service in areas of greatest need, and the Child Surveillance service.

206. The availability of water supplies and of sewage systems is, among other information relating to water, noted in Target 20 of the Strategies Report.

207. Information relating to various diseases and the immunization of children, with statistical indicators is to be found in Targets 5 and 28 of the Strategies Report.

208. Appendix 19 to this report sets out statistics for life expectancy, Target 6 of the Strategies Report sets out the United Kingdom's policies to improve life expectancy.

209. Comparative figures for life expectancy, etc., together with contributions on mortality in regions, the standard of health and children's health are contained in Population Trends, No. 82 published by the Office of Population Census and Surveys and attached as appendix 20 to this Report.

210. Access to health care is noted in Target 26. In addition to the matters reported there (particularly in Global HFA indicator 11), there are over 14,000 local NHS hospitals throughout the country. These ensure that, except in the remotest parts of the country, everyone is able to have immediate accident and emergency treatment, free of charge and within a few miles of his home or of an accident. Any person may call an ambulance to take him to his nearest hospital accident or emergency department. Under the Patient's Charter, emergency ambulances are required to respond within 14 minutes (in urban areas) or 19 minutes (in rural areas) for 95 per cent of cases. Two thirds of ambulance services achieved the Charter standard in 1994/95. Patients may also be referred to these hospitals by their own general practitioner to receive non-emergency treatment within standards set down in the Patient's Charter. This would include receiving non-emergency treatment within a guaranteed time of 18 months.

211. Information on family planning and maternity services is set out in Target 8 of the Strategies Report and figures of maternal mortality rates in indicator 8.1 and tables 1.8 and 1.7 attached to Target 8.

212. Assessments of the position with regard to children and young persons and statistics of mortality rates are set out in Target 7 of the Strategies Report and the tables attached to Target 7. Paragraphs 357 to 399 of the 1994 Child Report detail services and measures relating to this group of the population. The paragraphs following 399 of the 1994 Child Report deal with environmental pollution affecting children and young persons.

213. Standardized mortality rates are lower among social classes I, II and III than among other social class groups in Great Britain. The prevalence of self-reported long-standing illness and limiting long-standing illness is also lower among professional and non-manual groups in Great Britain than among

those in manual occupations. Similarly those who are unemployed or economically inactive report more long-standing illness than those who are in work. All-cause standardized mortality ratios are higher in northern regions of England than in other parts of England. See, for example, the tables in Target 7 of the Strategies Report. A copy of the publication "Ethnicity and Health" is attached as appendix 21 to this report.

214. Targets 20 (water), 21 (pollution in food), 23 (hazardous wastes and soil pollution) and 24 (physical and social environments) of the Strategies Report provide information on environmental measures. In addition, measures have recently been taken and further measures announced to counteract "noise pollution".

215. Target 25 deals with the working environment and work-related disease and includes statistics on industrial diseases.

216. Measures to meet the needs of those requiring long-term care are set out in Target 30 of the Strategies Report. This includes a number of measures specifically designed for the elderly. Guidance issued in February 1995 requires all health authorities to develop local policies and eligibility criteria for elderly people to receive health care. Although the number of elderly people (age 65 and over) has only increased by 10 per cent since 1978/79, the expenditure on services used mainly by elderly people (geriatric in-patients, direct nursing, etc.) has increased by 42 per cent since 1978/79. The number of elderly people obtaining geriatric treatment is up 139 per cent since that year.

217. The United Kingdom's strategies for the health of the nation includes collaboration across various sectors of the community to improve health as reported in Targets 13 and 37 of the Strategies Report. A copy of the publication "Working Together for Better Health", which is published by the Department of Health, is appended to this report as appendix 22.

218. Each part of the United Kingdom has a health education or promotion agency. These agencies, their budgets and activities are generally described in Target 15 of the Strategies Report. A selection of publications of the Health Education Authority are appended as appendix 23.

219. The work of the Overseas Development Administration in assisting other countries health programmes is set out in Part 4 of the Strategies Report.

Article 13*

220. Recent laws of relevance to this subject are: Education Reform Act 1988; Education (Student Loans) Act 1990; School Teachers' Pay and Conditions Act 1991; Further and Higher Education Act 1992 and Education Act 1993.

---

*Reference is made to previous reports E/1982/3/Add.16 and E/1990/7/Add.16.

General

221. The attention of the Committee is drawn to the chapter on education at pages 48 to 60 of the 1995 CEDAW Report, paragraphs 88 to 100 of the 1995 CERD Report and Part VII A and B of the 1994 Child Report.

222. The 1944 Education Act establishes the basis for free primary and secondary education in the United Kingdom. Education is compulsory for all children in England, Wales and Scotland from 5 to 16 and in Northern Ireland from 4 to 16. Expenditure on education in the United Kingdom as a percentage of Gross Domestic Product was 5.3 per cent in 1993/94, and is estimated to be 5.2 per cent in 1994/95.

Higher education

223. The United Kingdom Government's policies are based on the principle that, within the constraints of affordability, places should be available to those who have the intellectual competence, maturity and motivation to benefit from higher education (HE), and who wish to do so, regardless of socio-economic background or age.

224. Participation in HE has risen rapidly. In 1979 about one in eight young people entered full-time HE. In 1994/95 the proportion was nearly one in three. At the same time the number and proportion of mature full-time entrants has been rising. The number has doubled since 1988. This growth is partly attributable to improved access programmes designed for students without conventional entry qualifications. The Government has encouraged these schemes - there are now over 1,270 in England alone - as well as the introduction of a national framework for recognized Access courses. The objective of the national framework is to promote the development of Access courses for mature students within a framework of suitable arrangements for their validation. By this means, standards would be safeguarded and wide accessibility and currency of Access courses promoted. The Higher Education Quality Council publish and maintain a register of "kitemarked" or validated Access courses. In addition, one in three United Kingdom students studies part-time; most of these are mature students. The Government is currently reviewing higher education, including the future demand for places and for graduates in the economy.

225. The figures on the United Kingdom graduation rates in the OECD's "Education at a Glance" show that the number of first degree graduates as a percentage of the relevant age group is the second highest in the EU after Denmark. This indicates that the United Kingdom HE system has a high rate of survival compared with other countries. The United Kingdom graduation rate has risen from 16.3 per 100 in 1988 to 20.4 per 100 in 1992.

226. Higher education in the United Kingdom has a strong tradition of academic freedom. Institutions are responsible for managing their own academic affairs and determining their range of provision. They are free to decide the content and length of most courses and to appoint their own staff. (Certain courses with a professional content, such as engineering and medicine, are constructed within guidelines set by the relevant professional body.) As a result, a very wide range of courses is available covering the whole spectrum of science,

arts and humanities, with varying content. The Government has no part in determining the curricular of courses, as this would conflict with academic freedom.

227. Universities make their own decisions on whom to admit to their courses. People with disabilities have the same opportunity to apply to attend university as others; there are no specialist universities for disabled students in the United Kingdom. In considering an application from a disabled student, universities will take into account whether the institution has appropriate facilities to enable that person to undertake the course.

228. The Open University pioneered open and distance learning in the United Kingdom. The University offers opportunities for high quality open learning supported by a network of coordinators, tutorial and counselling staff. Since 1971, over 1 million people have studied with the University. There are currently over 200,000 students following courses throughout the United Kingdom and the EU. In 1993 the Open University became part of the new unified framework for HE in the United Kingdom. The Government regards open and distance learning as part of mainstream education and training provision, not as a separate field subject to a different policy.

229. The United Kingdom higher education sector is also at the forefront of developments in computer networking. The higher education funding bodies are supporting the development of a broad band network (SuperJANET) which is capable of rapid two-way exchanges of high quality information, including video, still images and audio. This upgrades the text and data information services provided by JANET (Joint Academic Network), the current network which links all the higher education institutions and research centres in the United Kingdom. The funding bodies are also responsible for a programme (the Teaching and Learning Technology Programme) which develops projects using information technology in teaching and management strategies at universities and colleges.

230. Higher Education in the United Kingdom is funded from a variety of sources, including employers, students and parents, as well as the taxpayer. The Government accepts that public funds will remain the main source of income for HE. The expansion of higher education has, however, been funded by broadening the funding base as well as increasing public spending and making efficiency gains. Public expenditure on higher education is in the form of a block grant paid to institutions via the higher education funding councils and the Department for Education of Northern Ireland, and of student awards consisting of an element for tuition fees and a means-tested grant for maintenance.

231. The great majority of full-time undergraduates are automatically eligible to have their tuition fee paid for them. The Government has no plans at present to make students contribute to their fees.

232. Government-funded support for HE students mainly takes the form of student awards and loans. Student awards are means-tested. Parents, spouses and students themselves may be expected to contribute to them. Loans are not means-tested. Students start repaying them after they finish or leave their course. Repayments are contingent on income; they begin only when the borrower's income reaches 85 per cent of average earnings. The amount to be repaid is indexed to inflation so that it is broadly the same in value as the

amount borrowed. In 1994/95 loans were made to 517,234 students, with the average loan at approximately £1,040. The Government believes in principle that the cost of student maintenance should be shared more equitably between taxpayers, parents and graduates themselves. For this reason, the Government plans to accelerate the shift from grants to loans so that the loan should broadly equal grant by 1996/97.

233. The Government has also made £22 million available in the form of access funds for students in HE in England in 1995/96. These funds are provided to institutions so that they can provide selective help to students who have serious financial difficulties or who might not otherwise have been able to afford to enter HE.

234. In 1994/95, public spending in the United Kingdom on HE was £7,600 million or 1.1 per cent of GDP. In England and Wales, £2,437 million was spent on mandatory awards - fees and maintenance grants. The Higher Education Funding Council for England spent £3,445 million on funding the HE institutions.

Adult basic education

235. The Further and Higher Education Act 1992, with its Scottish equivalent, gives high priority to the provision of the teaching of basic skills within a national framework of access and progression for all adults, whatever their background and wherever they live, which will allow them to progress from basic education courses right through to the threshold of higher education, if they so wish.

236. Under this legislation, the Further Education Funding Council in England and Wales (FEFC) has a duty to secure the provision of adequate further education for all adults as set out in Schedule 2 to the Act. Schedule 2 includes courses leading to academic and vocational qualifications; access to higher education; courses which open the way for adult learners to take these courses; basic skills courses in literacy and numeracy; courses in English for speakers of other languages; and courses which teach independent learning and communication skills to people with learning difficulties. The FEFC works largely through the newly independent colleges. However, the Government has enabled courses put on by other providers, including Local Education Authorities (LEAs) and voluntary bodies, to be funded by the FEFC via a sponsoring college in the further education sector. In Scotland, these duties are undertaken directly by central Government working through colleges and voluntary organizations. In addition, Training and Enterprise Councils are required to identify and endorse people who are eligible for the Training for Work (TfW) and Youth Training programmes and who require training to gain qualifications in basic skills. People with literacy or numeracy difficulties are among the special groups of people who can enter TfW even if they have not been unemployed for six months.

237. The Government-funded Adult Literacy and Basic Skills Unit (ALBSU) estimates that 10 per cent of the adult population have real difficulty with everyday tasks involving reading, writing and spelling. They are not, however, "illiterate" in the sense of being unable to read or write. The responsibilities of the Basic Skills Agency have recently been extended to

cover basic skills training in the workplace, for the unemployed, for young people, and between generations. One of its key roles will be to work more closely with employers and colleges to improve their basic skills.

238. Colleges and LEAs are free to set their own tuition fee policies. The FEFC, however, is prepared to compensate institutions which remit 100 per cent of the tuition fee for certain groups of people, including the unemployed, the disabled, those on low wages and those on basic literacy and numeracy courses. In Scotland, adult basic education is the responsibility of the Community Education Service which is administered by the education authorities.

Further education

239. The Government's aims for education and training for the twenty-first century are:

(a) To ensure that high quality education or training becomes the norm for all 16- and 17-year-olds who can benefit from it;

(b) To increase the all-round levels of attainment by young people;

(c) To increase the proportion of young people acquiring higher levels of skill and expertise;

(d) To ensure parity of esteem between academic and vocational qualifications;

(e) To ensure availability of educational opportunities for adults to update their skills and improve their qualifications.

240. The Government endorsed revised National Targets for Education and Training Targets in the second Competitiveness White Paper "Forging Ahead" published in May 1995. The Targets are for Foundation and Lifetime Learning and have a common attainment date of the year 2000. They encompass education and training at all levels.

241. The foundation learning targets are:

(a) By age 19, 85 per cent of young people to achieve 5 GCSEs at grade C or above Scottish Standard Grades, an Intermediate General National Vocational Qualification (GNVQ) or a National Vocational Qualification (NVQ) or a Scottish Vocational Qualification (SVQ) level 2;

(b) Seventy-five per cent of young people to achieve level 2 competence in communication, numeracy and IT by age 19 and 35 per cent to achieve level 3 competence in these core skills by age 21;

(c) By age 21, 60 per cent of young people to achieve two GCE A levels, an Advanced GNVQ or NVQ level 3.

242. The lifetime learning targets are:

(a) Sixty per cent of the workforce to be qualified to NVQ level 3, Advanced GNVQ or two GCE A level standard;

(b) Thirty per cent of the workforce to have a vocational, professional, management or academic qualification at NVQ level 4 or above;

(c) Seventy per cent of all organizations employing 200 or more employees, and 35 per cent of those employing 50 or more, to be recognized as "Investors in People" - a scheme for encouraging employers to provide training and developing the skills of their employees;

(d) In Scotland, 50 per cent of organizations to be committed to "Investors in People".

243. On 1 April 1993, further education and sixth form colleges in England and Wales left local authority control and became independent corporations in a new sector of publicly funded further education (FE). The sector also includes a much smaller number of designated colleges.

244. The participation rate for 16-year-olds in full-time education (FE and schools) in 1994/95 was 71.5 per cent, up from 42 per cent in 1979/80; for 17-year-olds, it was 58.6 per cent in 1994/95, compared with 27 per cent in 1979/80. In Scotland, participation rates in full-time education are higher. In 1992/93 for example, 76.8 per cent of 16-year-olds participated in FE and school education full-time, and for 17-year-olds, the figure was 74 per cent. As is apparent from the OECD publication "Education at a Glance 1995", part-time provision is a much more important form of education in the United Kingdom than it is in almost any other country. Consequently, international comparisons of full-time participation tend to give a misleading picture. If all forms of full- and part-time education and training are taken into account, the latest figures suggest the United Kingdom participation rate for 16-year-olds was 94 per cent.

245. The Government remains committed to the expansion of further education in line with its commitment to the achievement of the National Education and Training Targets. The 1995 Budget plans allow for 20 per cent growth in student numbers between 1993/94 and 1998/99. This allows for the forecast growth in numbers of full-time students aged 16 to 19 to be met in full. The plans envisage a 5.5 per cent growth in full-time equivalent student numbers between 1996/97 and 1998/99. Training and Enterprise Councils meet the cost of part-time 16- to 19-year-old students in further education.

246. Institutions in the further education sector are funded by new national funding councils - the Further Education Funding Council (England) and the Further Education Funding Council for Wales: see sections 1 to 4 of the Further and Higher Education Act 1992, attached as appendix 24. The Councils have a duty to ensure sufficient provision for full-timers aged 16 to 18, and to ensure adequate provision for adults and part-timers of vocational, academic, access and basic skills courses. In Scotland, such provision is directly funded by the Scottish Office via the FE college system.

School funding

247. England and Wales. The types of school include:

(a) County schools funded by LEAs with delegated funding under Local Management of Schools (LMS). Under these arrangements, LEAs allocate funds -

largely on the basis of pupil numbers - to the schools. The school governing body then becomes responsible for managing the school budget and for most aspects of staffing, including numbers, appointments and dismissals;

(b) Voluntary schools, which may be aided, controlled or subject to a special agreement. The largest group of these is voluntary aided. Voluntary schools are also funded through LMS. In the case of voluntary-aided schools, Government grant is provided towards most capital building costs;

(c) Grant-maintained schools. These are funded on a similar basis to county and voluntary schools, but funding is received direct from central Government through the Funding Agency for Schools which is a non-departmental public body. Some 18 per cent of secondary schools in England are grant maintained schools;

(d) Special schools for pupils with special educational needs. These may be funded on the same basis as county or grant maintained schools;

(e) Independent schools. These are normally funded through income from fees, but this category also includes City Technology Colleges which are jointly funded by business and central Government.

248. Phased implementation of LMS is now almost complete. For the great majority of LEAs, LMS schemes covering primary and secondary schools came into force in 1990, with the remainder following in 1992. Eight LEAs extended their LMS schemes to cover special schools from April 1993; the remaining schemes were extended to cover funding of special schools by April 1994.

249. Independent promoters can apply to the Secretary of State to establish a new voluntary-aided school or, since April 1994, a new grant-maintained school. Proposals may come from independent schools or be in respect of brand new schools and may represent religious faiths or denominations. All proposals are considered on their merits against a number of criteria, including a proposed school's ability to meet statutory requirements applying to all maintained schools.

250. Sections 106 to 111 and 117 to 118 of the Education Reform Act 1988 (the relevant provisions of which are set out in appendix 25) made provision for charges for certain school activities. The Act applies to all maintained schools, whether LEA or grant maintained. The basic principle is that education provided by any maintained school is free if it takes place wholly or mainly during school hours. LEAs and governors of maintained schools are, however, permitted to ask for voluntary contributions for the benefit of the school as a whole or in support of any school activity, whether during or outside school hours and whether in a residential or a non-residential school. If schools do ask parents for contributions, such requests must be in writing and the terms of any request must make it clear that contributions are genuinely voluntary, parents are under no obligation to contribute and pupils will not be treated differently according to whether or not their parents have made any contribution in response to the request (i.e. they will not be left out of any activity because their parents are unable or unwilling to contribute). Equally, requests should make it clear that an activity for which contributions are requested (not being an activity required to be

provided free) will not take place if parents are reluctant to give it their support. LEAs and governing bodies are required to draw up and keep under review their policies on charging.

251. Scotland. In Scotland most schools supported from public funds are provided by education authorities and are known as public schools. School boards play a significant part in the administration and management of these schools. The boards consist of elected parent and staff members as well as co-opted members. The Government has issued guidelines under which schemes of devolved management will be in place in primary and secondary schools in April 1996 and in special schools by April 1997.

252. Parents of children at public schools can opt for self-governing status following approval by a ballot. Such schools receive funding directly from central Government rather than from the local education authority. Two schools in Scotland, one primary and one secondary have opted out. The total number of public schools in Scotland is over 3,000.

253. Northern Ireland. The main categories of school supported by public funds are:

(a) Controlled schools, provided by the education and library boards and managed through boards of governors;

(b) Maintained schools, managed by boards of governors with overall general management from the Council for Catholic Maintained Schools;

(c) Voluntary grammar schools, which may be under Roman Catholic management or non-denominational boards of governors;

(d) Grant-maintained integrated schools, taking Protestant and Roman Catholic pupils.

All publicly financed schools include elected parents and teachers on their boards of governors.

Rural schools

254. Pupils are entitled by law to an education suitable for their age, ability, aptitude and any special educational needs they may have. This is so whether a pupil lives in an urban or rural area. The LEAs are required to ensure that free transport is provided wherever they judge it necessary for pupils' education. In addition to their duty to provide free school transport where this is necessary, authorities have discretionary powers to provide concessionary school transport. This is intended to promote increased parental choice of school, particularly in rural areas. A copy of a departmental circular on school transport dated 21 January 1994 is attached as appendix 26.

255. The Government recognizes that many small schools do an excellent job, and policies for improving education take account of the needs of small rural schools. In particular, it is recognized that many small village schools have to be retained because of the geographical isolation of the communities they serve, especially when alternative schools would necessitate unacceptably long journeys. But it is also recognized that very small schools are

disproportionately expensive to run, and have greater difficulty in covering the whole of the curriculum in sufficient depth. Where there are realistic alternatives, closure of uneconomic schools can make sense.

256. Before any schools can be closed, people in the local community have the opportunity to see the proposals and object if they so wish. If proposals are controversial, they may be decided by the Secretary of State for Education (in England and Wales) rather than the LEA. The Secretary of State will look at all the arguments and decide the case on its merits. In Scotland, the Secretary of State for Scotland will do so. The Secretary of State:

(a) Will not normally approve the closure of a school where the alternative schooling on offer is not of at least equal quality;

(b) Weighs very carefully the consequences of closure proposals, including, for example, the impact on children's journeys to school as well as the effect on the wider community;

(c) Accepts the need to preserve accessibility of schooling for young children as a justification for retaining surplus places.

Where a school is closed and the nearest alternative school is beyond the walking distance specified in legislation, the LEA would have to provide free transport to it. The LEA may also use its discretion to assist with the cost of transport in other cases.

257. LEAs have freedom in their Local Management of Schools formulas to provide permanent financial protection for small schools, and more generally the formula for calculating the Standard Spending Assessment for Local Authorities includes a weighting for additional costs in more sparsely populated areas of such authorities. Moreover, by enabling schools to apply for grant-maintained status as a cluster, the 1993 Education Act in England and Wales will increase the options available to small schools.

Building new schools

258. The Government provides capital support for the provision of new primary and secondary school places where there is a projected need because of population growth or movement. Support is provided either directly to those schools for which the Education Departments are responsible or to the local bodies which have responsibility for the provision of school places. Depending on circumstances, and on local priorities and decisions where appropriate, the need for new school places is met by building either new schools or extensions or alterations to existing schools.

Under-fives education

259. Over three quarters of four-year-olds in the United Kingdom are receiving primary school education. In the United Kingdom, children begin compulsory schooling at five, far earlier than in most other countries. At age four, the United Kingdom has a higher percentage of pupils in early childhood or primary education (90.1 per cent) than Germany (68.5 per cent), Japan (57.6 per cent) or the United States of America (53 per cent).

260. The Government endorses the view that priority should be given to expanding preschool provision. The new preschool voucher scheme, which will be fully introduced in 1997, will provide an entitlement to three terms of good quality preschool education for all four year olds. All parents will receive a voucher which will give them purchasing power up to £1,100 in the State, private and voluntary sectors. A quality assurance regime will be established which will include the publication of desirable outcomes for children's learning by the time they enter compulsory schooling. The Government intends that particular attention should be given to the development of early literacy and numeracy.

Special education needs

261. Part III of the Education Act 1993 (a copy of which is appended to this report as appendix 27) is concerned with special educational needs (SEN). This largely replaces the 1981 Act for England and Wales; and the Government is monitoring its impact. The purpose of the Act is to improve arrangements for all pupils with SEN and for their parents. It reaffirms the principle that pupils with SEN should be educated in mainstream schools wherever it is appropriate to do so, taking into account the wishes of their parents. A new scheme, the Schools Access Initiative, specifically addresses the problem of disabled children in mainstream schools. Where it is not possible to accommodate the needs of disabled children in mainstream schools, provision is made for assisting them in special schools, and a substantial programme of funding has been introduced to that end. LEAs incur most of the expenditure on SEN, though a substantial amount of central funds is also available to support specific areas such as teacher training for pupils with SEN, including those in mainstream schools. Similar provisions are made in Scotland under the Education (Scotland) Act 1981.

262. The 1993 Act requires the Secretary of State to issue a code of practice on the identification and assessment of SEN. The Code, which was issued in May 1994 (and a copy of which is attached to this report as appendix 28) gives practical guidance to LEAs, schools and other agencies on identifying, assessing and monitoring all children with SEN. The Department consulted widely on a draft code and associated regulations and is monitoring its implementation.

263. The Further and Higher Education Act 1992 (see section 4 at appendix 24), and its Scottish equivalent, require adequate further education provision to be made for students with learning difficulties. Implementation of this requirement is a matter for LEAs and the Further Education Funding Council; they are also responsible for ensuring that the provision made for these students takes account of their particular needs. The FEFC has developed, in England and Wales, a methodology for funding FE colleges which provides for resources to be allocated to meet the additional learning support needs of students with learning difficulties or disabilities on either mainstream or special courses. The maintained further education sector is well equipped to meet the needs of students with learning difficulties and disabilities. In a small minority of cases, however, disabled students require more specialized care. The FEFC has a duty to fund provision in independent specialist colleges for such students. In 1994/95, it was only necessary to make fewer than 2,000 new placements in the independent sector. The FEFC has established a specialist committee on learning difficulties and disabilities which is due to report in July 1996 with the object of identifying any unmet needs.

264. The Higher Education Funding Councils fund special projects to encourage wider participation for students with special needs. Individual students who, as a result of a disability, face additional expenses in attending a higher education course may be eligible for disabled students' allowances as part of their mandatory award. The Disability Discrimination Act 1995 (see section 30 at appendix 5) will require the Higher Education Funding Councils to have regard to the requirements of disabled people in exercising their functions. In addition, higher education institutions funded by the Councils will be required to publish a statement which makes clear the facilities for education and research available for disabled persons. The Higher Education Statistics Agency collects data on students with disabilities in higher education.

Ethnic minorities

265. The Race Relations Act 1976 makes it illegal to discriminate, either directly or indirectly, against a person on racial grounds in the provision of educational facilities. An annex to the circular, issued in March 1981, drew attention to these provisions, to the paragraphs of the Education Acts relevant to the admission to schools of pupils of overseas origin, and to European Community Regulation 1612/68, which is directly enforceable in domestic law.

266. It is the Government's policy to give ethnic minority pupils the same opportunities as all others to profit from what schools can offer, to raise the performance of all pupils and to tackle the obstacles to higher achievement which are common to all. Schools should preserve and transmit national values in a way which accepts Britain's ethnic diversity and promotes tolerance and racial harmony.

267. In recent years the Government has taken action to:

(a) Increase the recruitment of ethnic minority teachers;

(b) Ensure that teachers are trained to respond to the full range of pupils' needs;

(c) Require that the bodies responsible for the curriculum pay regard to the ethnic and cultural diversity of British society, and the importance of promoting equal opportunity for all pupils regardless of ethnic origin or sex;

(d) Provide additional English-language support to pupils who need it in order to increase access to the curriculum.

268. A grant is currently paid by the Home Office under section 11 of the Local Government Act 1966 (as amended) to local authorities and other institutions in England and Wales for the employment of additional staff to meet the particular needs of individuals arising from language and cultural barriers that inhibit access to mainstream provision and services. With effect from 1 April 1994, the Home Office transferred into the Single Regeneration Budget just over half of the section 11 funding devoted to Urban Programme Areas. The aim of that budget is to provide greater flexibility in the way the government funds are used to support local regeneration priorities, including initiatives to benefit ethnic minority communities.

269. The Grants for Education Support and Training (GEST) includes a new grant to provide in-service training for mainstream, class and subject teachers to equip them to respond to linguistic diversity in the classroom, and to promote pupils' mastery of English, thus securing full access to the National Curriculum. Bids from 96 LEAs to train approximately 9,000 primary and secondary teachers will be supported within the GEST in 1995/96. The programme will be continued in 1996/97.

270. In Northern Ireland, the schools and other educational interests have an important role to play in helping to increase understanding between the two communities and thus heal the divisions which exist in society. All grant-related schools are open to pupils regardless of their religious or political backgrounds but in practice the majority of Protestant pupils attend controlled or State schools while Roman Catholic pupils attend voluntary schools under Church management. The statutory curriculum, however, includes two compulsory cross-curricular themes, Education for Mutual Understanding and Cultural Heritage, which are designed to enable pupils to understand and respect their own cultural heritage and that of others. One third of all schools also participate in cross-community contacts schemes in which pupils engage in cooperative events and projects with their counterparts from the other religious background.

271. The Government has also sought to encourage the development of religiously integrated schools, where parents wish it for their children. New integrated schools can be established ab initio but there are also arrangements by which existing segregated schools can opt to become integrated through a ballot of parents. There are now 21 integrated schools with 4,000 pupils.

272. Initial teacher training is provided by the education departments of the two universities in Northern Ireland and in two colleges of education, one of which is non-denominational, while the other is a Roman Catholic voluntary college. Teacher training in the universities is fully religiously integrated and in 1990 the two colleges of education introduced a joint programme of Education for Mutual Understanding. This ensures that there is the opportunity for students to work together for significant periods as an integral part of both college and school-based studies.

Teachers

273. Teachers in England, Wales and Scotland are employed by LEAs or the governing bodies of voluntary aided or grant-maintained schools. In Northern Ireland, teachers are employed by education and library boards, the Council for Catholic Maintained Schools, or the boards of governors of direct grant schools. The pay, professional duties and working time of teachers in England and Wales are prescribed by Order, the provisions being based on recommendations by the independent School Teachers' Review Body (STRB) appointed under the School Teachers' Pay and Conditions Act 1991 (a copy of which is appended as appendix 29 to this report). In arriving at its recommendations, the STRB considers evidence submitted by the teacher unions, the employers and the Government. Other conditions of service are negotiated directly between teachers and their employers. The conditions of service of teachers in Northern Ireland are governed by Regulations similar to those which apply in England and Wales, and are made following negotiations with teachers' associations. In Scotland, they are determined by the Scottish

Joint Negotiating Committee for Teachers in School Education which comprises representatives from the teaching unions, education authorities and the Scottish Office.

274. The statutory pay and conditions of service for schoolteachers are set out in the School Teachers' Pay and Conditions Document (STPCD, the 1994 edition of which is attached as appendix 30 to this report). The STPCD defines the professional duties which teachers may be expected to perform. These include classroom teaching, assessing, recording and reporting on the development, progress and attainment of pupils, being involved in appraisal, and other duties. The STPCD also provides that a teacher has to be available for 1,265 hours for 195 days a year and that, if required, he must work additional hours to carry out effectively his professional duties. Non-statutory conditions of service - which include such matters as maternity leave and sick pay - continue to be a matter to be negotiated between the local authority employers and teacher associations.

275. Head teachers and their deputies are paid on a common 51-point pay spine with overlapping "ranges" of points for schools of different sizes. Schools are divided by size into six groups based on weighted pupil numbers. The head or deputy head may not be paid less than the minimum of the normal range for the school. The governing body must review the salaries of heads and deputy heads in each year.

276. Classroom teachers are paid on an 18-point pay spine. A teacher's position on the spine is determined by the total number of points awarded. The school's governing body may award points under six headings: qualifications, experience, special educational needs, recruitment and retention, responsibilities and excellence. The governing body must undertake a points assessment in respect of every teacher in service on 1 September each year, and whenever a teacher enters or re-enters service on any later date or takes up a new post.

277. The Government firmly believes that schoolteachers' pay should reflect the need to recruit, retain and motivate sufficient teachers of the required quality within the resources available and in a way which recognizes their professional status. The Government continues to give priority to education as the economy grows. Between 1990 and 1994, the average teacher's pay has risen by 36 per cent, considerably higher than the average for non-manual workers of 23 per cent. In real terms the average pay of a schoolteacher rose by some 60 per cent between 1979 and 1994, compared to an increase of 49 per cent for non-manual workers; in 1979 they were 6 per cent above the average for non-manuals and by 1994 their pay had increased to become 16 per cent above the average for non-manuals.

278. Regulations which came into force in August 1991 provide for the implementation of a system of teacher appraisal in all maintained schools in England and Wales. Implementation is being phased in over a period of years so that by September 1996 all teachers in maintained schools will have completed at least the first year of their appraisal cycle. The effective appraisal of teachers is seen as an essential element in raising standards of teaching and learning.

279. The Secretary of State's criteria for the initial training of primary teachers (as set out in a circular of 1993) require that newly qualified

teachers acquire the necessary foundation to develop the ability to identify and provide for special educational needs and specific learning difficulties in their initial training. A circular in 1992 imposed similar requirements on secondary teachers.

280. Between 1990 and 1995, pupil/teacher ratios (PTR) have risen in maintained schools because of an increase in pupil numbers. The increases have been modest and the current PTR is below the levels of the 1970s. Fewer than 30 per cent of primary pupils were in classes of over 30 in January 1995, compared with more than 35 per cent in 1979. The figures for secondary pupils were 7 per cent and 16 per cent respectively. Over the period 1990 to 1995, the PTR in independent schools fell slightly. However, the number of classroom assistants and other education support staff (nursery assistants, special needs support staff, etc.) has risen significantly. In the primary education sector, the number of such support staff rose by over 40 per cent between 1992 and 1995. Research by the Office for Standards in Education has shown that, while class sizes have crept up, standards have risen much faster. The Government has, therefore, elected not to spend money specifically on reducing the size of primary school classes, as it believes that improving teaching methods are more cost effective.

Independent schools

281. Fee-paying independent schools must register with the appropriate education department and are open to inspection. They can be required to remedy serious shortcomings in their accommodation or instruction, and to exclude anyone regarded as unsuitable to teach in or own a school. About 7 per cent of schoolchildren attend independent schools. There are 2,447 independent schools educating 603,000 pupils of all ages.

Article 14

282. The principle of compulsory education, free of charge for all, has been adhered to since 1944.

Article 15*

General

283. There are no restrictions on the right to equal participation in or access to any of the matters covered by this article on the grounds of sex, race, colour or national or ethnic origin. The attention of the Committee is drawn to pages 101 to 104 of the 1995 CEDAW report and paragraphs 101 to 105 of the 1995 CERD report.

284. The Department of National Heritage is the government department responsible for the United Kingdom's cultural policy. It was set up following the general election in April 1992 and is responsible for a wide range of activities, including the arts, the media, sport, tourism, etc. As well as developing policy within each sector of its responsibilities, the Department has a commitment to enriching people's lives through seeking to ensure that as

---

* Reference is made to previous reports E/1982/3/Add.16 and E/1990/7/Add.16.

wide a range of people as possible are able to appreciate and become involved in its sectors. Available statistics show that some areas are appreciated by a relatively narrow section of the population, generally the older, better educated or better off.

Heritage

285. One of the main aims of the Department is to preserve the national heritage for future generations and enable access by the general public. The Government supports the effective conservation of buildings and sites of historic and architectural importance for its own sake and because the built heritage also influences and makes a significant contribution to the environment generally, to the economy, and to our sense of ourselves and the past. The Government is committed to promoting wider understanding of the nation's built heritage and to its conservation and preservation for the benefit of present and future generations. The Government's heritage aims and objectives are also carried forward by two executive agencies (the Historic Royal Palaces Agency and the Royal Parks Agency) and five other funded bodies (English Heritage, the Royal Commission on the Historical Monuments of England, the National Heritage Memorial Fund, the Redundant Churches Fund and the Royal Fine Art Commission). The Government and its heritage agencies' aim may be summarized as to create the conditions which will preserve ancient sites, monuments and historic buildings, and increase their accessibility to all for study and enjoyment both now and in the future.

286. As regard movables (e.g. paintings, sculpture and manuscripts), the preservation of the national heritage has to take account of the need to protect the right of private owners to realize the market value of their assets and to protect the United Kingdom's flourishing art and antiques trade. The Department seeks to achieve this aim by:

(a) Operating aspects of tax concessions offered by the Chancellor of the Exchequer to encourage private owners to offer pre-eminent objects to the nation (in lieu of tax) or to public collections (via private treaty sale). Many of these offers are generated by the art trade, which wishes to play its part in protecting the heritage;

(b) Providing a government indemnity and thus avoiding the need for commercial insurance for objects loaned to United Kingdom museums and galleries for exhibition;

(c) Adding to collections in public or semi-public hands and facilitating loans and exhibitions, so that the public is given access to a greater number of pre-eminent objects;

(d) Controlling the export of cultural goods and so providing an opportunity for certain particularly important items to be kept in the United Kingdom, with the minimum interference with the trade and with minimum bureaucracy.

287. A key government objective is also to maximize the private sector contribution to the conservation of the built heritage by encouraging the development of partnerships between the public sector and the private sector. The Department of National Heritage also works closely with, and provides financial support to, a range of independent voluntary organizations and seeks

to involve leading heritage experts in the development of policies. The Department's estimated expenditure on built heritage programmes in 1994/95 is £196 million.

Audiovisual

288. For many people, broadcasting is the most important means of access to information as well as the arts and sciences. The Department seeks to create conditions which will increase variety and choice in broadcasting and competition in the provision of services, while maintaining high programme standards and quality. Broadcasters offer a large number of national and regional services which provide programmes catering for a wide variety of tastes and interests and embracing information, education and entertainment. The number of programmes of high quality reflects the considerable creative and performing talent which goes into their making, and it is from broadcasting that many people derive their impressions of the wealth and breadth of the United Kingdom's heritage and culture. Broadcasters are also significant cultural patrons in their own right - the BBC alone spends £300 million a year on arts programming and others make significant investments.

289. The Department of National Heritage is committed to supporting and encouraging the appreciation and awareness of the United Kingdom's minority languages. It maintains arrangements for Welsh and Scottish Gaelic broadcasting. The Department appoints the members of S4C, the Welsh Fourth Channel Authority. S4C broadcasts, on average, 32 hours per week in Welsh, mainly during peak hours, and the remainder of the time it reschedules Channel 4's English-language programmes. It is funded in part by advertising and sponsorship revenue and also by the Independent Television Commission; and it has a strong commitment to producing Welsh-language programmes of a high standard, covering a wide range of subjects. In conjunction with the Scottish Office, the Department has policy responsibility for Gaelic broadcasting. The Gaelic Television Committee, a statutory body funded by the Secretary of State for Scotland, ensures that a wide range of high quality programmes are broadcast in Gaelic for reception in Scotland. Other programmes in Gaelic are produced by BBC television and radio, the Channel 3 licensees who broadcast in Scotland, and local community radio stations. In addition, the Northern Ireland Office subsidizes a number of independent bodies which seek to promote the Irish language and culture throughout Northern Ireland. The expansion of the satellite and cable industry provides opportunities for Asian and other immigrant services. The Independent Television Commission has already licensed several satellite and cable services including The Asian Channel, The Chinese Channel and The British Greek Community Channel.

290. The British Government includes the art of film among the living arts which it seeks to encourage to flourish. One of its medium-term objectives in relation to film is to expand opportunities for access to high quality films from Britain and elsewhere. It plans to spend £24 million on its activities in support of films in 1996/97. Included in this sum will be £16.5 million for the British Film Institute (BFT), the national body charged with responsibility for encouraging the understanding and development of moving image culture in all its forms; and £4 million for British Screen Finance Limited, a private sector company which aims, by investing in film production, to encourage private sector investment in film making (£2 million of this goes towards the European Co-production Fund which is administered by British

Screen Finance Limited and is intended to help United Kingdom film makers co-produce films with nationals of other European countries). A further £16.9 million will be made available to the BFI in 1997/98. As indicated above, broadcasters are also significant cultural patrons in their own right.

291. The BFI helps to programme, supply and fund a network of 39 regional film theatres in the United Kingdom which offer public access to films not normally screened at commercial cinemas. The BFI also runs the National Film and Television Archive and acquires, preserves and makes permanently available a national collection of moving images which have lasting value as examples of the history of cinema and television, and as a documentary record of the twentieth century. The archive holds 200,000 titles dating from 1895 to the present day.

292. The Government has increased the grant to the BFI by £2 million in the financial year 1995/96 mainly to support increased activity at the National Film and Television Archive. The BFI's activities cover all aspects of moving image culture - conservation, preservation, exhibition, production and distribution of film and video as well as providing library and information services and research, education and publishing facilities, both centrally and through the Regional Arts Boards.

293. The United Kingdom takes an active part in two European audio-visual industry support initiatives: the European Community's MEDIA Programme and the pan-European audio-visual industry support initiative, Audiovisual Eureka. It is also a member of the Council of Europe's audio-visual co-production support fund, Eurimages; is a signatory to bilateral film co-production agreements with Australia, Canada, France, Germany, Italy, New Zealand and Norway; and has just ratified the Council of Europe Convention on Cinematographic Co-production; all of which measures are designed to encourage co-produced films by nationals of the member or signatory (as appropriate) States.

294. As the organization and regulation of broadcasting are increasingly conducted at international level, the Department represents the United Kingdom and its broadcasters in a number of international forums. Directives of the EU and the multilateral initiatives promoted within the Council of Europe framework have a growing impact on the United Kingdom's broadcasting industry, in terms both of its prospects for exports and diversification overseas, and of the rules which the broadcasters must follow. In 1993, for example, the Department reported to the EU on the extent of the United Kingdom's compliance with the EU Broadcasting Directive, and argued vigorously for an interpretation of the Directive which it believes is most likely to benefit viewers and broadcasters within the United Kingdom and throughout the EU. Future work for the Department includes taking part in the debate initiated by the EU on the possibility of changes to the Broadcasting Directive, as well as on the scope for measures at European level to deal with the media ownership.

Libraries

295. The Government, though funding for local authorities, supports a network of public libraries throughout the United Kingdom. The Public Libraries and Museums Act 1964 places a duty on local authorities to provide a comprehensive and efficient library service for all persons desiring to make use of it. Local authority expenditure on public libraries in England and Wales totalled

around £656 million in 1993/94. The Act imposes an obligation on the Secretary of State for National Heritage to superintend and promote the improvement of the public library service in England and Wales and to secure the proper discharge by local authorities of their library duties. The Department through research in library and information matters, promotes development of the public library and information network, e.g. provision of libraries for rural areas, provision of library services for children and young people, automation in public libraries.

296. The public library system is diverse and flexible, catering for specialist groups according to local needs. These are often related to ethnic communities. The obligation to provide a "comprehensive" service is interpreted as requiring the distinctive needs of identifiable groups within the community to be met.

297. The United Kingdom's national library, the British Library, supports the infrastructure of the whole library and information network. It encourages and funds research, development, dissemination and demonstration projects, providing data for decision makers, assisting in improving the provision of information services and in the flow of information throughout the country. The information network is serviced through the Library's document supply service at Boston Spa. Because of the volume of requests and the need to satisfy them quickly, automation has been given high priority. Apart from optical disk storage, the Document Supply Service handles almost half its 1,250,000 requests by sophisticated telecommunications equipment. Managers of information services, in the sciences and humanities, in health care, in business and industry as well as the general public, are helped to gain the maximum benefit from the opportunities which new technology provides.

298. The British Library also provides a Preservation Service for preserving the national collections. Its expenditure from grant-in-aid in 1993/94 was £5,193,000. It encompasses the National Preservation Office, which operates as an information and referral service for libraries in the United Kingdom.

299. The Royal Commission on Historical Manuscripts was constituted in 1869 to investigate and advise on all matters concerning historical records (except public records) throughout the United Kingdom and to promote and assist their preservation and study. Its government grant in 1994/95 was £934,000. The National Manuscripts Conservation Trust was set up in 1989 by the British Library and the Royal Commission on Historical Manuscripts with funding from the (then) Office of Arts and Libraries and private benefactors to provide financial assistance to owners and custodians in preserving the nation's written heritage. The government grant in 1992/93 was £70,000.

300. The British Library has a significant international role, not only through assisting United Kingdom researchers to develop contacts with the international research community and to respond to requests from abroad for document supply, but also through its professional contacts with individuals and organizations worldwide. The Public Lending Right operates a reciprocal arrangement with Germany. The United Kingdom has featured prominently in the European Commission's "Plan of Action for Libraries in the EC", which is part of the EU's Telematics Programme. Priority themes, fostering cooperation between members States, are: national bibliographic and retrospective

conversion projects; international interconnection of systems; provision of new library services; and the development of the market for optical disc-based projects.

301. In addition to its international role described above, the British Library has played an active role in EU discussions on acid-free paper and conservation. The Library has developed a mass strengthening process. The United Kingdom has two representatives on the EU's Experts' Group on Archives which was commissioned to examine the possibilities for greater cooperation of policy and practice in archival matters within the Community. Its report is currently under consideration.

Public lending right

302. The Government grant for this purpose in 1993/94 was £5 million. There are no known difficulties in the realization of this right. The United Kingdom is in the process of implementing EU legislation in the field of copyright.

The arts

303. The Department of National Heritage's stated aim for the living arts is "to create conditions which will encourage the living arts to flourish - including the performing arts, the visual and plastic arts, broadcasting, film and literature". The Department's support for the arts is designed to develop a high standard of artistic and cultural activity throughout the country, encourage innovation and promote public access to, and appreciation of, the arts through the provision of funds and advice, and the expansion of total resources by encouraging partnership with the private sector.

304. The Government funds the arts largely through the Arts Councils. Some support is also channelled through the Crafts Council. The Arts Council of England is accountable to the Secretary of State for National Heritage; the Arts Councils of Wales, Scotland and Northern Ireland are autonomous bodies accountable to their respective Secretaries of State. In 1995/96, the Arts Councils of England, Wales, Scotland and Northern Ireland will receive some £230 million of Government money for distribution to the arts. In England, the Arts Council passes a proportion of the grant-in-aid to 10 Regional Arts Boards. The Arts Council takes decisions on the funding of arts organizations and activities at arm's length from the Government.

305. In 1984, the Government introduced the Business Sponsorship Incentive Scheme (now known as the Pairing Scheme) to promote growth in sponsorship on the basis of matching funds from Government. The scheme, which is administered by the Association for Business Sponsorship in the Arts, has succeeded in bringing nearly £90 million of new money into the arts (including a Government contribution of £30 million) and has attracted over 4,000 first-time sponsors.

306. There is no legislation as such dealing with he promotion of the arts. However, each Arts Council is constituted under a Royal Charter the aims of which are to develop and improve the knowledge, understanding and practice of the arts and increase the accessibility of the arts to the public throughout Great Britain. Under their Charters the Arts Councils are required to advise

and cooperate with Government Departments, local authorities and other bodies in pursuit of these aims. The Crafts Council is also constituted under a Royal Charter.

307. The Arts Councils all promote regional activity. In England, the Council supports, either directly or through the Regional Arts Boards, a network of regional theatres, galleries, orchestras and dance venues. There is also a strong emphasis on supporting touring productions in all art forms. The Regional Arts Boards also receive funding from the Crafts Council.

308. The Arts Councils are committed to the promotion of the work of minority ethnic groups. They maintain a strong interest in recognizing the culturally diverse nature of British arts. They also have a strong interest in education and encourage their client bodies to provide education programmes for their customers both through performances for young people and through educational activities usually focused on work being performed by the client body.

309. The Department of National Heritage is an active participant in EU and Council of Europe meetings on culture, both at official and ministerial level. In addition, the Arts and Crafts Councils, like many other department funded bodies, participate in, and occasionally organize, various international symposia and conferences on international cultural issues.

Scientific progress and its applications

310. As noted in earlier reports, in the United Kingdom the enjoyment of the benefits of scientific progress and its applications has always been regarded as a basic right for all. No legislation or other government measures have been taken, or are considered necessary, to guarantee that right.

Promotion of scientific research

311. Basic and strategic research is carried out largely under the auspices of the nation's Research Councils and in universities. The 1993 White Paper, "Realizing our Potential: A Strategy for Science Engineering, and Technology" announced changes to the Research Council system which came into effect on 1 April 1994. A central theme of the White Paper was that steps should be taken to harness the United Kingdom's strength in science and engineering to the creation of wealth, by bringing scientists into closer partnership with industrial and commercial users of research. To help bring this about, a new post of Director General of Research Councils (DGRC) has been created within the Office of Science and Technology (since July 1995, a part of the Department of Trade and Industry). Two former Councils - the Agricultural and Food, and the Science and Engineering Research Councils - have been abolished, and three new Councils created. A further Council was established in April 1995 and there are now seven Councils under the general direction of the DGRC. They are: the Biotechnology and Biological Sciences Research Council; the Economic and Social Research Council; the Engineering and Physical Sciences Research Council; the Medical Research Council; the Natural Environmental Research Council; the Particle Physics and Astronomy Research Council and the Council for the Central Laboratory of the Research Councils (which provides services for the other six Councils). These Councils support research in universities and in their own institutes through project grants. They are funded by the Government through its Science Budget which it has

increased by 23 per cent in real terms since 1985. The Science Budget in financial year 1995/96 totals £1,284 million. The Royal Society and the Royal Academy of Engineering also receive grant-in-aid from the Science Budget.

312. Government funds universities through block grants for teaching and research allocated by the Funding Councils. Its policy for higher education is set out in its White Paper "Higher Education - A New Framework". A total of £80 million of public funds is allocated by the Higher Education Funding Council and the Department of Education for Northern Ireland for scientific research in academic year 1995/96.

Protection of the environment

313. The Government recognizes the need to improve environmental standards. In September 1990, it published the White Paper "This Common Inheritance; Britain's Environmental Strategy". In January 1994, it published documents fulfilling commitments made at the Earth Summit in Rio in 1992: "Sustainable Development: the UK Strategy", "Biodiversity: the UK Action Plan", "Climate Change: the UK Programme" and "Sustainable Forestry: the UK Programme". The Sustainable Development Strategy stressed the need to integrate environment concerns into other policy areas, and set up a Government Panel on Sustainable Development, a United Kingdom Round Table on Sustainable Development, and a "Going for Green" initiative to raise public awareness. The Government Panel issued its first report in January 1995 and the Government issued its response in March of that year. The United Kingdom Round Table is expected to produce its first report in March 1996. The Government publishes annual reports in respect of its commitments to the sustainable development strategy in "The Common Inheritance" and successor reports. Since 1995, these have highlighted key quantified targets and priorities for the year ahead.

Public understanding of science

314. Government proposals for improving the public understanding of science, engineering and technology were contained in the 1993 White Paper, "Realising our Potential" (paras. 7.32-38). This resulted in the launch in January 1994 of a Government "Campaign for the Public Understanding of Science" in which many other organizations (research councils, learned and professional societies, research charities, business enterprises and the media) are also participating.

315. The Campaign supports a number of initiatives including a small grants scheme for public understanding activities (now run by the Committee on the Public Understanding of Science) and a range of promotional and educational programmes in schools. The highlight of the Campaign is the National Week of Science, Engineering and Technology, which is now a successful annual event organized by the British Association for the Advancement of Science.

Technology transfer

316. If the results of scientific research and technology development are to be widely used and to make the maximum possible contribution towards the wealth creation process, it is important that efficient mechanisms exist to transfer the knowledge or technology to industrial and commercial users. The Department of Trade and Industry, therefore, supports a number of initiatives designed to foster such transfers. These include:

(a) providing funding for Innovation and Technology Counsellors (ITCs) to be placed in "Business Links" (a national network of "one stop shops" which bring together all key local providers of business support through a single, local access point). The ITCs can assist local companies to find national and international sources of technical help and to identify and implement local best practice in innovation;

(b) The Teaching Company Scheme, which places graduates in firms for up to two years to work on specific technology projects. The scheme thereby aims to encourage universities and industry to work more closely together in the future and to demonstrate to small firms the benefits of employing graduates;

(c) The Focus Technical Programme, which helps research and technology organizations and higher education institutes to undertake fundamental reviews of their products and services in order to make them more appropriate to the particular needs of small firms;

(d) The Engineers to Japan and Overseas Science and Technology Expert Missions schemes which are designed to encourage industry to locate and gain access to technological expertise originating outside the United Kingdom and to learn the best practice overseas;

(e) Offering prizes to reward successful examples of technology transfer between technology providers and potential exploiters and thereby encourage others to build effective links.

Development of international collaboration

317. The United Kingdom encourages scientific cooperation with a large number of countries, particularly through the Royal Society and the British Council. This cooperation is achieved through academic exchanges, support to joint research projects, exchange of information about various research activities, and through encouragement of bilateral seminars, high level policy discussions, and visits and exchange at governmental and scientific levels. Support for such cooperation is a main objective of science and technology counsellors in embassies around the world, and the British Council also maintains a network of science officers in different countries.

318. Specific action to develop bilateral relations has been undertaken with a wide range of countries in recent years, both among partners in the EU, and outside. Round table meetings, for example with Japan and Germany have been held, and further such events are planned. Within Europe, scientific programmes operated under the auspices of the EU represent an increasingly significant proportion of the United Kingdom's collaborative scientific effort. The United Kingdom's contribution to the EU's Fourth Framework Programme for research and development is approximately 16 per cent. The Programme's total budget over 1994/95 is £10.9 billion.

319. The United Kingdom has been involved in EUREKA since its launch in 1985. EUREKA's main aim is to encourage and assist collaborate research and development projects between European companies, research organizations and higher education institutes. With its strong market orientation, it complements the European Commission's programmes of strategic research.

320. There are now 24 member countries, extending from the Russian Federation in the east to Iceland in the west. All the countries of the EU are members and the European Commission is a member too in its own right. By mid-1994, nearly 200 projects with a value of over 3.2 billion ECU (£2.2 billion) had already been completed. In addition, 820 projects with a value exceeding 14 billion ECU (£10 billion) were under way, involving more than 4,000 partners.

321. There are strong bilateral links between the United Kingdom and the Central and Eastern European countries. The Royal Society, for instance, funds exchange visits to the value of £1 million per annum, representing over 600 visits, both short and long term. The British Council also maintains strong links through a network of offices in Central and Eastern Europe (CEE) and through a series of strategic visits. There is a wealth of scientific cooperation between research councils and scientific institutions in the United Kingdom and their CEE counterparts.

322. The Second Activity of the Fourth Framework Programme supports S and T collaboration with the Newly Independent States of the former Soviet Union (NIS) and CEE. About 65 million ECU (£50 million) is made available per annum for this purpose until the end of 1998, split evenly between CEE and NIS. This funding also supports the International Association for the Promotion of Cooperation with Scientists from the NIS (INTAS), which was set up in June 1993 at the initiative of the European Commission and the member States. The United Kingdom is also involved with the International Science and Technology Centre in Moscow which receives funding of £8 million per annum through the EU TACIS programme of aid for the NIS.

LIST OF APPENDICES*

No.	Description
1.	"Policies and Programmes for Employment in the UK"
2A.	Employment and Unemployment Statistics 1995
2B.	Employment and Unemployment Statistics 1990
2C.	Employment and Unemployment Statistics 1985
3.	Employment Services Measures for helping people who become unemployed etc.
4.	Publications relating to equality and non-discrimination etc "Equal Opportunities: Ten Point Plan for Employers" "Equal to the Task" "Equality Pays" "The Best of Both Worlds" "Be Flexible" "Sex Discrimination" "Equal pay" "A Guide to the Race Relations Act 1976"
5.	Disability Discrimination Act 1995
6.	EC Council Directive on the introduction of measures to encourage improvements in safety and health of workers at work
7.	The Management of Health and Safety at Work Regulations 1992
8.	Patients Charter
9.	Patients Charter: Maternity Services
10.	Patients Charter: Services for Children and Young People
11A.	"The Health of the Nation"
11B.	"Second Progress Report on the Health of the Nation"

* Available for consultation in the files of the Centre for Human Rights.

12. United Kingdom's 1994 Monitoring Report to WHO

13. Housing Data and Statistics:

    A. "DoE Housing Data and Statistics: Key Background Figures"

    B. "English House Condition Survey 1991: Key Facts"

    C. "Housing in England 1993/94"

    D. "Housing Trends in Scotland: Quarter ended 31 March 1995"

    E. "Scottish House Condition Survey 1991: Key Findings"

    F. "Welsh House Condition Survey 1993"

    G. "Welsh Housing Statistics"

14. "Routes into Local Authority Housing"

15. Local Authority Housing Waiting Lists in Scotland

16. Housing Difficulties

    A. "In Brief: Survey of Single Homeless People"

    B. "Housing Research Summary: The Housing Aspects of AIDS and HIV Infection"

    C. "Housing Consequences of Relationship Breakdown"

    D. "Housing Research Summary: Living Independently"

    E. "Housing Research Summary: Outreach and Resettlement Work with People Sleeping Rough"

    F. "Housing Research Summary: Private Renting for Single Homeless People"

    G. "Statistical Bulletin: Operation of the Homeless Persons Legislation in Scotland 1983/94 to 1993/94: District Analysis"

17A. Adequate housing in the United Kingdom: ICESCR Indicators

17B. Dwellings below the Tolerable Standard in Scotland

18. Infant mortality

19. Life expectancy

20. Population Trends, No. 82

21. "Ethnicity and Health"

22. "Working together for Better Health"

23. Health Education pamphlets

24. Sections 1 to 4 of the Further and Higher Education Act 1992

25. Sections 106 to 111 and 117 to 118 of the Education Reform Act 1988

26. Department of Education Circular on School Transport

27. Part III of the Education Act 1993

28. Code of Practice on the Identification and Assessment of Special Educational Needs

29. School Teachers' Pay and Conditions Act 1992

30. School Teachers' Pay and Conditions Document 1995